

**Manitoba Justice**  
(including Justice Initiatives Fund)

**Annual Report**  
**2012 - 2013**





ATTORNEY GENERAL  
MINISTER OF JUSTICE

Room 101  
Legislative Building  
Winnipeg, Manitoba CANADA  
R3C 0V8

His Honour the Honourable Philip S. Lee, C.M., O.M.  
Lieutenant Governor of Manitoba  
Room 234 Legislative Building  
Winnipeg, Manitoba  
R3C 0V8

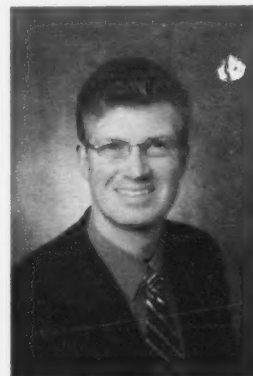
MAY IT PLEASE YOUR HONOUR:

It is my privilege to present for the information of Your Honour the *Annual Report of Manitoba Justice and the Justice Initiatives Fund* for the fiscal year ending March 31, 2013.

Respectfully submitted,

A handwritten signature in cursive script that reads "Andrew Swan".

Honourable Andrew Swan  
Minister of Justice  
Attorney General



# Manitoba



Justice  
Deputy Minister of Justice and Deputy Attorney General  
Room 110 Legislative Building, Winnipeg, Manitoba, Canada R3C 0V8

Honourable Andrew Swan  
Minister of Justice  
Attorney General  
Room 104 Legislative Building  
Winnipeg, Manitoba  
R3C 0V8

Dear Minister:

I am pleased to present the *Annual Report of Manitoba Justice and the Justice Initiatives Fund* for the period April 1, 2012, to March 31, 2013.

Considerable progress continues to be made toward our objective of streamlining processes within the justice system and increasing the speed at which criminal matters move through the system. Although the criminal justice system represents only one of the many areas within the responsibility of the Department, it is a key part that has a profound impact on the public's confidence generally. The Justice Innovation Branch is the centre of our efforts to achieve systemic improvements and increase case velocity but, importantly, it has built an exceptional level of cooperation and a shared vision within all parts of the Department and with justice system stakeholders outside of the Department. This shared commitment to innovation and systemic change is essential to the success of our efforts and supports our key priorities: safer communities, offender accountability, Aboriginal justice, and maintaining the integrity of and access to the justice system.

The following are a few of the notable achievements over the past year to increase case velocity and speedier resolutions:

- significant upgrades to the video court capability between the Thompson Provincial Court and The Pas Correctional Centre have significantly reduced the number and frequency of inmates being transferred between the two locations; this has helped to reduce both costs and safety risks;
- along with the increased use of video court in the Thompson Provincial Court has come an increased level of planning and coordination of in-custody court appearances, which has improved the efficiency with which that court operates;
- four of our correctional centres now offer defence lawyers the ability to videoconference with their clients from the convenience of their own office. This allows defence lawyers to speak with their clients more easily and more quickly, once again reducing the need to transport inmates. This program will continue to be expanded to more correctional centres and court locations in the coming year;
- the Justice Innovation Branch worked with the judiciary to implement process improvements in Winnipeg, which handles the largest volume of criminal trials. These changes improved the coordination of trial resources, allowing trials to start in a more timely manner and reducing the number of trials needing to be continued at a later date; and
- the Department and the Provincial Court judiciary continue to work together to ensure that court and judicial resources in circuit court locations are used in the most efficient way possible.

Continued investments are supporting effective policing across the province, including the Integrated Warrant Apprehension Unit, and strengthening the capacity of our Prosecution Service. Work continues on the establishment of the Independent Investigation Unit under *The Police Services Act*, with the appointment of its first director. The Criminal Property Forfeiture Unit and the Public Safety Investigation Unit, in cooperation with police agencies, continue to disrupt criminal activity and help build safer communities for all Manitobans. Almost \$5 million in proceeds and instruments of criminal activity have been forfeited and more than 630 unlawful operations have been shut down. Amendments were made to *The Criminal Property Forfeiture Act* to allow for a simpler, administrative process in specific circumstances.

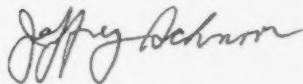
**Manitoba**  
spirited energy

The Department has also led a number of other legislative initiatives, including:

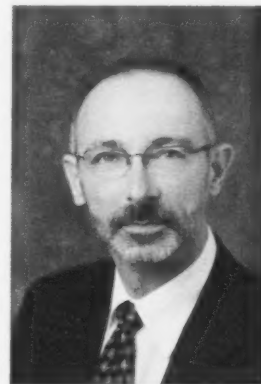
- *The Missing Persons Act*, which will provide police with timely access to information that will assist in solving missing persons cases;
- The extension of Manitoba's mandatory ignition interlock requirements to all persons convicted of impaired driving charges; and
- Groundbreaking changes to Manitoba's *Human Rights Code* that provide Manitobans with further protection from discrimination based on gender identity and disadvantaged social status, while improving the process by which complaints are addressed.

I am very proud of and grateful to the staff of Manitoba Justice who work tirelessly in challenging and unpredictable circumstances. It is their collective efforts that give life to the Department's mission and enable us to make Manitoba a safer and more just place to live.

Yours truly,



Jeffrey A. Schnoor, Q.C.  
Deputy Minister of Justice  
Deputy Attorney General







Monsieur Andrew Swan  
Ministre de la Justice  
et procureur général  
Palais législatif, bureau 104  
Winnipeg (Manitoba) R3C 0V8

Monsieur le Ministre,

J'ai l'honneur de vous présenter le rapport annuel du ministère de la Justice du Manitoba et du Fonds des initiatives concernant l'administration de la justice pour la période du 1er avril 2012 au 31 mars 2013.

Des progrès considérables continuent à être accomplis en vue de l'objectif que nous nous sommes fixé de simplifier les processus au sein du système judiciaire et d'accroître la vitesse à laquelle les affaires criminelles progressent dans le système. Bien que le système de justice pénale ne constitue que l'un des nombreux domaines de responsabilité du ministère, il n'en demeure pas moins un élément clé qui a une profonde influence sur la confiance du public en général. La Direction de l'innovation est au centre de nos efforts visant à réaliser des améliorations systémiques et à accroître la vitesse de progression des affaires, mais, plus important encore, elle a créé un niveau exceptionnel de coopération dans l'ensemble du ministère, ainsi qu'avec les intervenants externes du système judiciaire, et une vision commune à tous. Cet engagement commun pour l'innovation et la mise en place de changements systémiques est essentiel à l'aboutissement de nos efforts et appuie nos priorités clés : des collectivités plus sûres, la responsabilisation des contrevenants, la justice autochtone et le maintien de l'intégrité du système judiciaire et de l'accès à la justice.

La liste ci-dessous contient quelques-unes des réalisations notables de l'année écoulée ayant permis d'augmenter la vitesse de progression des affaires et d'aboutir plus rapidement à des règlements :

- Des améliorations importantes de la capacité de vidéocomparution entre le Palais de justice de Thompson et le Centre correctionnel du Pas ont permis de réduire considérablement le nombre de transferts de détenus entre ces deux endroits et leur fréquence, ce qui a permis de réduire non seulement les coûts, mais aussi les risques en matière de sécurité.
- En parallèle à une plus grande utilisation des vidéocomparutions au Palais de justice de Thompson, des efforts de planification et de coordination plus poussés ont été entrepris relativement à la comparution des détenus, ce qui a permis d'améliorer l'efficacité de ce tribunal.
- Quatre de nos centres correctionnels offrent maintenant aux avocats de la défense la possibilité de communiquer avec leurs clients par vidéoconférence à partir de leur cabinet. Cela permet aux avocats de la défense de parler plus facilement et plus rapidement avec leurs clients, et de réduire, une fois encore, le besoin de transporter des détenus. Ce programme continuera à être élargi afin d'être offert à plus de centres correctionnels et dans d'autres tribunaux au cours de l'année à venir.
- La Direction de l'innovation a travaillé avec la magistrature afin de mettre en œuvre des processus améliorés à Winnipeg, où le volume de procès criminels est le plus important. Ces changements ont permis d'améliorer la coordination des ressources pour les procès, permettant à ceux-ci de commencer plus rapidement et de réduire le nombre de procès devant être poursuivis à une date ultérieure.
- Le ministère et la magistrature de la Cour provinciale continuent à travailler ensemble afin que les ressources juridiques et judiciaires des tribunaux itinérants soient utilisées de la manière la plus efficace possible.

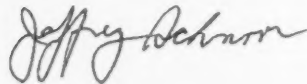
Des investissements continus appuient un maintien efficace de l'ordre dans la province, y compris grâce au soutien de l'Unité intégrée d'arrestation sur mandat du Manitoba, et renforcent la capacité de notre Service des poursuites. Le travail de mise en place de l'Unité d'enquête indépendante en vertu de la Loi sur les services de police se poursuit, avec la nomination de son tout premier directeur. L'Unité de confiscation des biens obtenus ou utilisés criminellement et la Section des enquêtes de la sécurité publique, en coopération avec les services de police, continuent à lutter contre les activités criminelles et aident à créer des communautés plus sûres pour tous les Manitobains et Manitobaines. Près de 5 millions de dollars de produits et d'instruments de criminalité ont été confisqués et plus de 630 opérations illégales ont été fermées. Des modifications de la Loi sur la confiscation de biens obtenus ou utilisés criminellement ont également été faites afin de permettre une confiscation administrative plus simple dans certaines circonstances.

Le ministère est également à l'origine de plusieurs initiatives législatives, et notamment :

- de la Loi sur les personnes disparues, qui permettra à la police d'avoir rapidement accès à des renseignements qui l'aideront à résoudre des cas de personnes disparues.
- de l'élargissement du programme obligatoire de verrouillage du système de démarrage à toutes les personnes reconnues coupables de conduite avec facultés affaiblies.
- des changements sans précédent au Code des droits de la personne du Manitoba qui permettront de mieux protéger les Manitobains et les Manitobaines contre la discrimination fondée sur l'identité sexuelle et le désavantage social, tout en améliorant le processus de traitement des plaintes.

Je suis extrêmement fier du personnel de Justice Manitoba, et très reconnaissant à son égard, pour son travail inlassable dans des circonstances difficiles et imprévisibles. C'est grâce aux efforts collectifs de ses membres que la mission du ministère prend forme et que nous avons été en mesure de faire du Manitoba un endroit plus sûr et plus juste.

Veuillez agréer, Monsieur le Ministre, l'expression de ma considération respectueuse.



Jeffrey A. Schnoor  
Le Sous-ministre de la Justice  
et sous-procureur général,



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# Introduction

With headquarters in downtown Winnipeg on historic Broadway, Manitoba Justice is responsible for the administration of civil and criminal justice in Manitoba. Key responsibilities flow from provincial legislation such as *The Department of Justice Act*, *The Correctional Services Act*, *The Legal Aid Manitoba Act* and *The Victims' Bill of Rights*. In addition, the department has significant delegated responsibility under federal legislation, as a result of the *Constitution Act, 1867*, which includes most notably the *Criminal Code* and the *Youth Criminal Justice Act*. Manitoba Justice is also responsible for the administration and enforcement of over 100 other provincial statutes<sup>1</sup> relating to civil law, court administration, correctional services, regulatory provisions and other matters for which the Manitoba government assumes legal responsibility.

Manitoba Justice, a large department with over 3,000 employees, provides a diverse range of services to Manitobans through many regional offices, facilities and operations. Department staff come from a wide variety of backgrounds, including lawyers, correctional officers, managers, administrators, financial officials, law enforcement specialists, information technologists, social workers, teachers, nurses, paralegals, and clerical and support staff.

## Report Structure

The *Annual Report* of Manitoba Justice is organized in accordance with the department's appropriation structure. An appropriation is an amount of money voted by the Legislative Assembly of Manitoba to provide for operation of a program during a fiscal year (April 1 through March 31). The total appropriation for Manitoba Justice (known as the main-appropriation) is broken down into sub-appropriations for the specific divisions, branches and areas of the department.

The activities of every branch or section are outlined in this report. It includes information at the main and sub-appropriation levels for the department's objectives, actual results achieved, financial performance and major variances. It also provides a five-year historical table giving the departmental expenditures and staffing. Expenditure and revenue variances are explained. Reports and financial information are also provided for affiliated boards, agencies and commissions, some of which issue their own annual reports.

The report also includes information on the department's capital investments and projects supported by the Justice Initiatives Fund. Separate sections summarize the department's performance reporting and sustainable development activities. A section on disclosures of wrongdoing by employees was added in 2007/2008.

To maintain consistency among government-wide reporting documents, all dollar amounts contained in the financial tables and narratives are expressed to the nearest thousand dollars. For example, thirty-five thousand one hundred dollars is shown as 35 \$(000s). Staffing resources are reported in the form of full-time equivalents (FTEs).

## Vision and Mission

The vision of Manitoba Justice is a safe, just and peaceful society supported by a justice system that is fair, effective, trusted and understood.

Our mission is to promote a safe, just, and peaceful society by:

- providing a fair and effective prosecution service
- managing inmates in an environment that promotes public safety and rehabilitation
- providing mechanisms for timely and peaceful resolution of civil and criminal matters
- providing legal advice and services to government
- providing programs which assist in protecting and enforcing individual and collective rights
- providing support and assistance to victims of crime
- promoting effective policing and crime prevention initiatives in our communities

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<sup>1</sup> See Appendix I for a complete list of acts administered by the Minister of Justice.



We seek to carry out this mission on the basis of the following guiding principles that are critical to the functioning of our democratic society:

- We recognize that in the exercise of our authority we at all times act in trust for the public.
- We accept that our system of justice is based on the rule of law and a respect for the rights of individuals as well as the rights of the community as a whole.
- We seek to promote an open and accessible system of justice that treats all persons fairly and with respect.
- We recognize the diversity in our society and the need to be responsive to that diversity, especially in regard to Aboriginal persons.
- We value communication, co-operation and interdependence and recognize the need to involve government and non-government partners in the development of integrated approaches to the administration of justice in Manitoba and throughout Canada.
- We respect and value the role the public can play in the delivery of justice and in the shaping of our institutions and programs.
- We believe in promoting the individual's responsibility to the larger community.
- We support the development of preventive approaches to problems and the prompt and just resolution of conflicts.

The department's strength comes from its employees. We are committed to building a department that promotes a respectful work environment and that recognizes employees' commitment, performance and achievements. We value personal integrity, leadership, responsibility, participation and teamwork. We encourage outstanding client and community service, initiative and innovation.

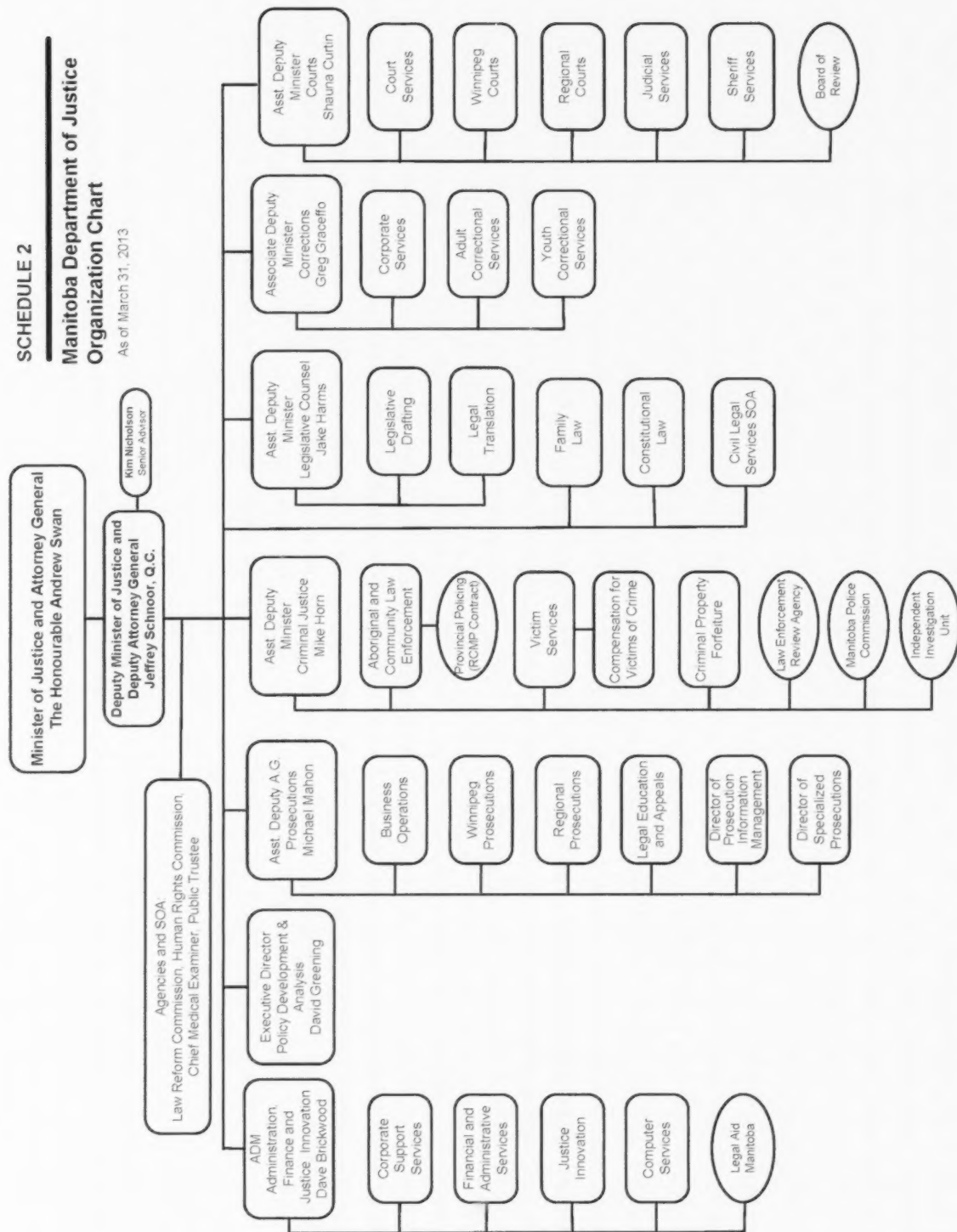
To fulfil its role and mission, Manitoba Justice is organized administratively into the following six divisions: Administration, Finance and Justice Innovation, Legislative Counsel, Courts, Corrections, Prosecutions and Criminal Justice. Finances are, however, voted under six main appropriations: administration, finance and justice innovation (04-1), criminal justice (04-2), civil justice (04-3), corrections (04-4), courts (04-5) and costs related to capital assets (04-6).

As illustrated on the organization chart, each operating division is led by an assistant deputy minister (ADM) or equivalent. The departmental structure includes a number of branches, offices, arm's length bodies and special operating agencies (SOA). Special operating agencies are service operations within departments granted more direct responsibility for results and increased management flexibility in order to encourage initiative and improve service delivery.

## SCHEDULE 2

### Manitoba Department of Justice Organization Chart

As of March 31, 2013





# Administration, Finance and Justice Innovation

The administration, finance and justice innovation appropriation (04-1) includes the department's executive and administrative support activities. It consists of two major components: executive administration and operational administration.

Executive administration is comprised of three sub-appropriations identified as minister's salary, executive support and policy development and analysis. These areas provide leadership and direction to the department's operational divisions.

The operational administration component of the division is responsible for the department's administrative support and fiscal planning and control functions. It also provides financial services, justice innovation, facilities management, procurement, fleet vehicles, parking, records management and the development and maintenance of computer systems.

## Executive Administration Component

### Minister's Salary

The funds voted for minister's salary provide for additional compensation to the Member of the Legislative Assembly (MLA) appointed to Executive Council (Cabinet) as the Minister of Justice.

The Minister of Justice is also the Attorney General for Manitoba. The attorney general's role is that of chief law officer for the Manitoba government and the official legal advisor to the Lieutenant-Governor in Council and members of Cabinet. The responsibilities stemming from this role are unlike those of any other Cabinet member.

As minister of justice, the minister represents the interests and perspectives of Manitoba Justice at Cabinet, while simultaneously representing the interests and perspectives of Cabinet to the department and the department's communities of interest.

As attorney general, the minister is the chief law officer of Manitoba. The minister plays a special role in advising Cabinet to ensure the rule of law is maintained and that Cabinet actions are consistent with the law and the *Constitution Act, 1867*.

#### 1 (a) Minister's Salary

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	37	1.00	37	0	

## Executive Support

Executive support includes the staff and operation of the offices of the minister and deputy minister who provide management direction and leadership to the department. Activities include advising the minister on policies and emerging issues affecting the department, developing departmental policy, managing departmental activities and projects, and providing administrative services.

The Deputy Minister of Justice and Deputy Attorney General is the administrative head of the department, responsible for managing the day-to-day operations. As the senior public servant in the department, the deputy minister works with a team of assistant deputy ministers and executive directors. The team, in turn, draws on the extensive accumulated knowledge of departmental personnel.

The deputy attorney general is the deputy chief law officer for the Manitoba government, following the attorney general as chief law officer. The deputy attorney general, for example, can prefer an indictment under the *Criminal Code* directly in the Court of Queen's Bench, Manitoba's superior trial court. There are also other discretionary prosecutorial powers given in law that the deputy attorney general may use.

## 1 (b) Executive Support

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	657	9.00	664	(7)	
Total Other Expenditures	79		95	(16)	

## Policy Development and Analysis

The mandate of the Policy Development and Analysis Branch is to:

- provide justice policy advice, develop legislation and help develop programs that advance departmental objectives
- co-ordinate issues having cross-divisional, cross-government or intergovernmental implications
- research and document provincial positions on needed changes to the *Criminal Code*
- provide program and administrative support for the Community Notification Advisory Committee and the Manitoba sex offender website
- act as the department's primary resource for research into issues that affect the justice system

To fulfill this mandate, the branch:

- conducts research and develops justice policy options
- co-ordinates preparation of briefing material for the minister and deputy minister and helps prepare for federal-provincial-territorial (FPT) meetings
- acts as the departmental liaison to the Canadian Centre for Justice Statistics (CCJS), analyzes CCJS reports and represents the department at FPT meetings of the National Justice Statistics Initiative Liaison Officers Committee
- provides research, analytical and administrative support for the Community Notification Advisory Committee
- represents the department at FPT meetings of the Co-ordinating Committee of Senior Officials (Criminal Justice) and leads and participates in other FPT committees and working groups
- assists in developing Manitoba's resolutions for the Criminal Section of the Uniform Law Conference of Canada
- examines and comments on federal criminal law initiatives
- leads and participates in development and implementation of legislation
- participates in Manitoba government interdepartmental working groups and committees
- provides policy assistance to other divisions in the development of policies and programs, such as assisting the Prosecution Service of Manitoba to develop prosecution policies, and in the development of criteria for program evaluation

The following are examples of some of the special projects in which the branch participated during 2012/2013:

- led the development of and assisted in the implementation of amendments to *The Highway Traffic Act* to extend Manitoba's mandatory ignition interlock requirements to all convicted impaired drivers
- led the development of and worked on implementation issues concerning legislation to prohibit the setting of traps that could injure or kill a person and to permit authorities to inspect properties and remove any such traps from the property
- led the development and introduction of legislation to prohibit the use of animals to protect property where unlawful activity is occurring
- led the policy work on amendments to *The Highway Traffic Act* to clarify and enhance the consequences for failure to comply with the requirements of the Ignition Interlock program

- led the policy work on amendments to *The Highway Traffic Act* to increase the immediate roadside sanctions for street racing
- Co-led the FPT Working Group on Public Safety as a Paramount Consideration in *Criminal Code Review Board Decisions*
- Co-Chaired the FPT Substantive Criminal Law Issues Working Group
- participated in a variety of other national working groups and consultations on changes to criminal law and on collection of justice data, including the FPT Impaired Driving Working Group, the FPT Cybercrime Working group, the FPT Criminal Procedure Working Group and the FPT Sentencing Working Group
- analyzed and prepared briefing material for the department on the reports released by the Canadian Centre for Justice Statistics between April 1, 2012 and March 31, 2013

#### 1 (c) Policy Development and Analysis

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	444	5.00	458	(14)	
Total Other Expenditures	96		116	(20)	

### Operational Administration Component

The Administration, Finance and Justice Innovation Division of Manitoba Justice is responsible for the department's operational administration. The division is led by an assistant deputy minister with oversight of two branches: financial and administrative services (includes Justice Innovation) and computer services.

The assistant deputy minister of the division exercises a governance role and oversees grant funding provided to Legal Aid Manitoba, which functions as an independent Crown corporation. The assistant deputy minister is also the designated officer for receiving and investigating disclosures made by Justice employees under *The Public Interest Disclosure (Whistleblower Protection) Act*.

Although not the largest division, the support services provided by Administration, Finance and Justice Innovation Division have a significant overall impact on the daily operations of the department.

### Financial and Administrative Services (includes Justice Innovation)

The Financial and Administrative Services Branch is comprised of four main groups: financial services, administration services, corporate services and justice innovation.

The financial services group assembles and co-ordinates the department's budget, processes all accounts payable, and monitors, evaluates and reports expenditures to senior management. It exercises a comptrollership function to ensure that all revenues are properly accounted for, and that all expenditures are made and reported in accordance with government policies and generally accepted accounting principles.

The administrative services group oversees the department's administrative operations and reporting. Responsibilities include procurement in general, sustainable development initiatives, contracts, leases for space and equipment, fleet vehicles, physical asset inventories, accommodations and capital project requests, staff parking, security, insurance, accommodation cost recoveries, workplace safety and health, and related staff training.

The corporate services group co-ordinates freedom of information access requests and compliance with *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA). It also provides leadership and support to a number of special cross-divisional projects such as the development of the department's annual strategic plan, sustainability indicators reporting, performance reporting, and workload indicator development and reporting. Corporate services also manages departmental records and maintains the Manitoba Justice Internet website at [www.gov.mb.ca/justice](http://www.gov.mb.ca/justice).

The Justice Innovation group was created in 2011 specifically to look at opportunities that would:

- Improve the average time to disposition for criminal matters
- Reduce the number of inmates on remand status through earlier case resolution
- Reduce the number of remands per case

In addition to working with partners across the Department of Justice, the unit works with the key stakeholders in the criminal justice system including the judiciary, police, Legal Aid and the private defence bar to develop and implement changes that will achieve improvements in the above noted areas.

The means of achieving the improvements cover a wide range of areas including organizational changes, policy changes, work process changes, investments in technology, and resource allocation. The team will conduct detailed review and analysis of current processes and their results to develop sound business cases for improvements and/or investments designed to increase efficiency and effectiveness of the criminal justice system, recognizing that the rights of the accused must be protected. The approach will be incremental by tackling projects that will, when other changes are made in the future, add to any benefits already achieved through the initial projects.

#### 1 (d) Financial and Administrative Services (includes Justice Innovation)

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,368	20.32	1,489	(121)	
Total Other Expenditures	576		419	157	1

#### Explanation:

1. Payroll processing volume increase, innovation unit costs associated with expansion of video conferencing and Attorney General Library publications

## Computer Services

The Computer Services (Information Systems) Branch provides vision and leadership in the use of technology to assist the department in accomplishing its goals. The branch either directly provides, or obtains from government shared services, the required services or resources to identify, develop, implement and maintain technology solutions that assist program areas in the delivery of effective services. The branch also has the responsibility of leading the department in an annual prioritization of initiatives that have shown there would be a benefit from the incorporation of technology. This process results in an allocation of the department's resources and is intended to maximize alignment to the department's overall priorities and strategies.

The department's long-term strategy for developing Justice computer systems for criminal matters is referred to as the Cooperative Justice (CJ) initiative. This strategy incorporates the development of independent system modules to meet critical operational needs, while maintaining a technological framework that allows for an easy flow of data between the modules and promotes future integration and sharing of functionality. This approach is seen as the most effective and fiscally responsible method of applying systems and technology solutions to a number of separate but cooperative Justice programs. These programs must work effectively together without compromising their independence from each other. Significant efforts have been made to ensure that all technology components support the program areas' immediate requirements and are consistent with the department's long-term strategies.

The Cooperative Justice initiative remains a major focus of the Computer Services Branch. This initiative, made up of a number of interdependent projects, will enable the provincial criminal court system Criminal Courts Automated Information Network (CCAIN), the prosecutions and victim services system Prosecutions Information Scheduling & Management System (PRISM), and the Corrections Offender Management System (COMS) to exchange information and significantly enhance the processes requiring inter-divisional co-operation. It will also enable the electronic exchange of information with external partners and agencies such as the Winnipeg Police Service, the Brandon Police Service and the RCMP. The initiative is being reviewed to ensure that the overall



strategy is current, that identified projects can be adequately undertaken, and to verify that the underlying technologies deployed to date continue to be appropriate as the initiative moves forward.

Another major initiative focuses on the modernization of the Maintenance Enforcement Program's computer system. Development of the new Manitoba Maintenance Management Program (M<sup>3</sup>P) is based on an existing application obtained from the Alberta provincial government. Reconfiguring this application significantly reduced the overall cost and time to complete the project. Since being introduced in late 2011, the computer system is being improved to allow for additional external information exchanges. These changes will increase the effectiveness of case management and improve the overall efficiency of staff.

Later sections of the report will provide additional detail on information system initiatives being undertaken in the divisions.

#### 1 (e) Computer Services

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	536	13.00	1,230	(694)	1
Total Other Expenditures	467		561	(94)	
Recoverable from Part B – Capital	(35)		(227)	192	2

**Explanations:**

1. Salaries of in-house staff dedicated to implementation of information technology projects were charged to the capital project
2. Unavailability of seconded staff to perform business analysis functions for information technology projects resulted in a lower recovery from Part B Capital

## Criminal Justice

The criminal justice appropriation (04-2) finances two divisions within Manitoba Justice: the Criminal Justice Division and the Manitoba Prosecutions Service. The appropriation also funds the Office of the Chief Medical Examiner.

### Administration

The office of the Assistant Deputy Minister, Criminal Justice Division, provides executive direction and administrative support to all programs, branches and agencies of the Criminal Justice Division. This does not, however, include the Manitoba Prosecutions Service or the Office of the Chief Medical Examiner.

#### 2 (a) Administration

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	368	5.00	381	(13)	
Total Other Expenditures	93		97	(4)	

### Manitoba Prosecutions Service

Manitoba Prosecutions Service is responsible for the prosecution of criminal and provincial offences in Manitoba and the conduct of inquests called by the Chief Medical Examiner. These offences include alleged provincial statute breaches, *Criminal Code* and some federal charges, as well as prosecutions under the *Youth Criminal Justice Act*. Crown attorneys also review police reports and provide advice to police on the appropriate criminal charges, investigations, and procedures. In addition, Crown attorneys provide lectures and seminars to the police and the general public on justice issues. Each year, the division hires articling students and provides a year of training and practical experience in the prosecution of offences under Provincial Acts and the criminal code.

Led by an assistant deputy attorney general (ADAG), the Manitoba Prosecution Service has a total of 264.30 staff FTEs (of which 17.00 were added in 2012/2013 to address workload issues). The total staff complement is comprised of 6.00 management/legal positions (including the ADAG), 151.00 legal positions (including articling law students) and 107.30 professional/administrative support staff positions (including the director of business operations).

The division is organized into six branches.

#### Winnipeg Prosecutions

The General Trial Unit of Winnipeg Prosecution Service prosecutes all preliminary hearings and trials in Winnipeg which are not the responsibility of one of the specialized units, or are not resolved during the intake process through referral to a community justice program, guilty plea or other alternative program.

The Community Prosecutor, Stolen Auto and Youth Court Unit are also a part of Winnipeg Prosecutions.

#### Regional Prosecutions

Regional Prosecution offices are based in Brandon, Dauphin, Portage la Prairie, The Pas, and Thompson. Regional Crown attorneys prosecute all adult and youth offences arising in regional court locations. In conjunction with lawyers from Winnipeg, prosecutions are conducted in over 60 other communities throughout Manitoba.

## Education and Appeals

The branch provides division-wide continuing legal education programs to ensure all Crown attorneys receive updated education to enable them to fulfil their roles as prosecutors. The branch is also responsible for review of files for consideration of appeal and represents the Crown at appeal hearings in the Manitoba Court of Appeal and Supreme Court of Canada.

## Information Management, Disclosure and Intake Unit

The Unit is responsible for the PRISM (Prosecutions Scheduling and Management System), technological needs and requirements, and all areas related to disclosure requirements mandated in Canada. In addition this branch includes General Counsel in its mandate and they prosecute the highest profile cases in the Province.

## Specialized Prosecutions

This branch is comprised of Crown attorneys who work in a number of units, including: Domestic Violence, which prosecutes cases of spousal, elder and child abuse as well as sexual offences involving children; Commercial Crime; Provincial Statute; and the Review Board, which reviews and monitors the status of not criminally responsible (NCR) accused. This branch also includes the Criminal Organization and High Risk Offender Unit (COHROU), which consists of both the Gang Unit and the High Risk Offender Unit.

## Business Operations

The Business Operations Branch manages the division's finances, facilities, the Central File Registry, technology and general administration. Strategic and policy advice is also provided to the assistant deputy attorney general on issues affecting the division.

## Workload

The number of files (including charges laid and requests for Crown opinions) opened in Prosecutions over the past five years is as follows:

- 47,383 in 2008/2009
- 46,896 in 2009/2010
- 49,365 in 2010/2011
- 50,246 in 2011/2012
- 53,369 in 2012/2013

## New Initiatives

There are ongoing and productive discussions with the RCMP and the Winnipeg Police Service to speed disclosure and move toward electronic disclosure for more cases in the system.

## 2 (b) Manitoba Prosecutions Service

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)		Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	22,216	264.30	23,719	(1,503)	1
Total Other Expenditures	4,824		4,203	621	2
Total Witness Programs & Grants	1,378		784	594	3

### Explanations:

1. Primarily recruitment process and retirements
2. Crown circuit court travel, outside counsel and an increase in general operating expenses including records management, communications, printing, insurance and courier costs and legal research software
3. Court and police transcription fees volume and cost increases and operating costs for witnesses



## Provincial Policing

This sub-appropriation funds the Royal Canadian Mounted Police (RCMP) for provincial policing in Manitoba under the authority of *The Police Services Act*. RCMP services are provided under contract through the *Provincial Police Service Agreement* (PPSA). The RCMP also provides police services to the majority of the province's larger municipalities under municipal police service agreements negotiated directly between the municipalities and the federal government. Through 85 rural and 22 municipal detachments across the province, the RCMP enforces federal and provincial statutes and municipal by-laws and administers crime prevention programs in rural municipalities, cities, towns, villages, First Nations communities and local government districts that do not provide their own police services.

First Nations policing in Manitoba is funded under this sub-appropriation. Currently, 14 of 63 First Nations communities in Manitoba have Community Tripartite Agreements for police services. Canada and Manitoba share costs for the agreements through an established sharing formula: 52 per cent from Canada and 48 per cent from Manitoba. The Dakota Ojibway Police Service (DOPS), a stand-alone Aboriginal police service, polices five First Nations communities: Birdtail Sioux, Canupawakpa, Sioux Valley, Sandy Bay and Roseau River. The RCMP, under the First Nations Community Policing Service (FNCPS), polices nine First Nations communities: Chemawawin, Swan Lake, Waywayseecappo, Opaskwayak, Nisichawayasihk, Peguis, Poplar River, Bloodvein and Buffalo Point. The Aboriginal Community Constable Program (ACCP) receives funding under this sub-appropriation as well. The ACCP funds specific RCMP members working in First Nations communities that do not have policing agreements with either the Manitoba government or the federal government. These members are cost shared 46 per cent from Canada and 54 per cent from Manitoba. Future expansion of First Nations policing in Manitoba is contingent on availability of federal funding.

DNA testing, the Manitoba Integrated Organized Crime Task Force, the Missing and Murdered Women's Task Force, the Integrated Warrant Enforcement Unit, the Auxiliary Constable Program, as well as funding support for some municipal police services are all supported with funds under this sub-appropriation.

### 2 (c) Provincial Policing

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	Estimate 2012/13 FTE \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Other Expenditures	117,781	117,528	253	
Recoverable from Rural Economic Development Initiative (REDI)	(2,000)	(2,000)	0	

## Aboriginal and Community Law Enforcement

The Aboriginal and Community Law Enforcement branch co-ordinates and administers the Manitoba government's law enforcement objectives, priorities, programs and policies, the government's contracts with the RCMP, municipal and Aboriginal police services, and the licensing of the private investigator and security guard industry. The branch negotiates and implements all policing agreements within Manitoba on behalf of the government, and represents the department in law enforcement forums at national and international levels. The department's High Risk Witness Management Program and the Public Safety Investigations Unit are also managed by the branch.

### Private Investigators and Security Guards

Aboriginal and Community Law Enforcement is responsible for administration of *The Private Investigators and Security Guards Act*. Under the act the registrar issues licences and monitors compliance with its provisions by employers of security guards and private investigators, as well as the individual security guards and private investigators themselves. During 2012/2013, the department issued licenses to 25 private investigator and 32 security guard contract service companies and registered 79 employers of in-house security guards. During this same period the department issued 4,143 individual security guard licences and 172 individual private investigator licences.

## Public Safety Investigations

Aboriginal and Community Law Enforcement includes a special unit that investigates complaints and conducts inspections under *The Safer Communities and Neighbourhoods Act* and *The Fortified Buildings Act*. These acts target properties that affect the safety and security of neighbourhoods in various ways, including fortifications that prevent access or escape, habitual use for prostitution, production, sale and/or use of drugs, abuse of intoxicants, child sexual exploitation or child sexual abuse, the storage of illegal weapons and explosives, selling liquor without a licence, and criminal organization offences. The Public Safety Investigations (PSI) Unit has a manager, nine investigators, two video analysts and a registrar. The unit investigates complaints and applies for community safety orders under *The Safer Communities and Neighbourhoods Act*. PSI conducts inspections and serves removal or closure orders under *The Fortified Buildings Act*. PSI is also responsible for licensing under *The Body Armour and Fortified Vehicles Control Act*.

In 2012/2013, PSI received 316 complaints under *The Safer Communities and Neighbourhoods Act*. Following investigation, 90 drug, prostitution and solvent operations involving 113 separate complaints were closed. No complaints were referred to another agency, 22 complaints were closed due to insufficient evidence and 62 complaints remain under active investigation. Ten owners removed fortifications from their property following an inspection conducted under *The Fortified Buildings Act*; follow-up on one other owner who agreed to remove fortification is pending. Forty-three licences or permits have been issued under *The Body Armour and Fortified Vehicles Control Act*.

## High Risk Witness Management Program

The High Risk Witness Management Program (HRWM) provides and co-ordinates protection to high risk witnesses as identified by law enforcement personnel under the provisions of *The Witness Security Act*. In addition the program coordinates with provincial law enforcement agencies to facilitate entry under the Federal Witness Protection Program Act which is administered by the Royal Canadian Mounted Police. Since its inception in 2002, the program has accepted 121 cases involving 146 witnesses, and an additional 250 individuals associated to a witness. In 2012/2013, 5 new cases involving 16 individuals were added to the 7 cases still being actively managed in this program. Eleven cases were closed through the court process in 2012/2013, all of which concluded with a conviction. There were two applications for admission to the federal government's Witness Protection Program<sup>[1]</sup> during 2012/2013. Both of these admissions related to secure name changes only.

## Law Enforcement Training

The branch is also responsible for ensuring that training requirements for private security guards are satisfied.

## 2 (d) Aboriginal and Community Law Enforcement

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,716	28.00	1,977	(261)	
Total Other Expenditures	633		671	(38)	
Total Programs	390		285	105	

<sup>[1]</sup> The provincial HRWM program is designed for short term issues ranging from weeks up to and including four years, as well as an interim step prior to entry into the federal program. The federal program is managed by the RCMP and is designed to accommodate longer term needs.

## Victim Services

The Victim Services branch provides a wide range of services to clients throughout Manitoba, including domestic violence and child victims and victims of the most serious crimes, as outlined under *The Victims' Bill of Rights* (VBR). The branch consists of 50 staff that are based out of Winnipeg, Portage la Prairie, Brandon, Selkirk, Dauphin, The Pas, Thompson, and Morris. Victim Services Workers (VSWs) attend all court centres and circuit locations throughout the province.

Highlights of branch accomplishments in 2012/2013 include:

- With the assistance of federal funding from the Policy Centre for Victims of Crime, Victim Services completed several projects including:
  - The revision of protection order fact sheets to incorporate changes made in 2010 to *The Domestic Violence and Stalking Act* – Approval was also granted to translate these fact sheets into an additional eight languages, including: German, Spanish, Cree, Ojibway, Tagalog, Mandarin, Arabic and Punjabi. Translation of the fact sheets provides clear information on the application process for the general public and service agencies that assist with Protection Order applications. A generic fact sheet outlining the different orders of protective relief that affect victims of domestic violence was also produced.
  - Creation of a brochure that maps the various community agencies and resources in Winnipeg that offer programs and support related to domestic abuse – Manitoba Justice continues to provide service to a growing Aboriginal and immigrant population. Many individuals attend to Winnipeg from northern communities for appointments. This resource will allow people to quickly identify the resources available and where they are located.
  - Employment of a Family Liaison Contact/VSW to assist the families of missing and murdered women and persons – The Family Liaison Contact will work alongside investigative members of the Manitoba Integrated Task Force on Missing and Murdered Exploited Persons – Project Devote.
- Through a grant from the Criminal Property Forfeiture Fund, Manitoba Justice Victim Services was also able to provide:
  - interpreters to assist individuals applying for protection orders;
  - financial support for families of homicide victims to travel to court to attend sentencing hearings; and
  - support for the National Aboriginal Women's Summit III (a community forum and healing ceremony) and for the development of a national action plan to address missing and murdered Aboriginal women.
- Victim Services continues to actively participate in the implementation of Manitoba's Domestic Violence Prevention Strategy.

### Victim Rights Support Service (VRSS)

The VBR specifies the rights of victims of the most serious crimes in their dealings with police, prosecutors, courts and corrections officials. VSWs help victims register for their rights and explain how and when they may exercise them. In 2012/2013, VRSS provided service to 744 victims.

### Child Victim Support Service (CVSS)

The CVSS helps victims and witnesses of physical and sexual abuse (up to 18 years of age), adults who have experienced childhood sexual abuse and other vulnerable victims (on a case-by-case basis) who are involved in the criminal court process. In 2012/2013, CVSS offered services to 1,014 victims.

### Domestic Violence Support Service (DVSS)

The DVSS helps victims of domestic violence when criminal charges have been laid, or may be laid against their partners. VSWs explain the cycle of violence, how the cycle may affect victims and their families and how to escape from it. They also help victims to develop protection plans to increase their personal safety. The DVSS also provides support to families who receive police services for domestic violence incidents that do not result in charges or arrests (Winnipeg only). In 2012/2013, the DVSS served 5,755 victims in criminal charge matters and 9,710 in non-criminal matters.

### Protection Order Designates Service

The *Domestic Violence and Stalking Act* allows victims of stalking or domestic violence to apply for protective orders. Victim Services provides training to community service agencies so that their staff may become designated to assist protection order applicants. To date, 37 agencies have participated in training. There are currently 91 Protection Order Designates (PODs) in 15 communities across the province.

### Cellphone Emergency Limited Link-Up Program (CELL)

The CELL program is a co-operative effort between MTS, Nokia, UTStarcom, social services agencies, police services and Manitoba Justice. A provincial coordinator, in cooperation with 26 social service agencies throughout the province, manages the CELL program, which provides cellphones on a short-term basis to victims of domestic violence and stalking who are deemed to be at very high risk of violence. The phones (61 in total) are pre-programmed to dial emergency services. Six high-risk victims of domestic violence accessed the program during 2012/2013.

### Victim/Witness Assistance

Victim/Witness Assistance provides support services to victims and witnesses of crime who are subpoenaed to appear in either Provincial Court or Court of Queen's Bench. In 2012/2013, Victim/Witness Assistance provided services to 2,449 victims of crime.

In 2012/2013, independent lawyers were paid through the program to represent the interests of sexual assault victims in 41 cases where defence counsel applied to the court for access to the victim's counselling and/or other records.

### Victims' Assistance Trust Fund (VAF)

In 2012/2013, the department provided \$240,000 from the Victims' Assistance Trust Fund to police and community agencies that provide services to victims. In 2012/2013, police-based programs that received grants included Brandon Police Victim Services and Pembina Valley Victim Services. Community-based programs that received grants included Manitoba Organization of Victim Assistance (MOVA), Eyaa Keen, North End Women's Resource Centre, RESOLVE, The Family Centre, Age and Opportunity, Inc. (Older Victim Services), and Aurora Family Therapy Centre – Bereavement Project and Aurora Family Therapy Centre – Unresolved Loss.

## 2 (e) Victim Services

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	3,349	49.50	3,600	(251)	
Total Other Expenditures	734		596	138	1
Grants	211		240	(29)	

#### Explanation:

1. Relocation of the Brandon Victim Services office which was fully recovered from the Victims' Assistance Trust Fund

## Compensation for Victims of Crime

Under the authority of the VBR, the Compensation for Victims of Crime Program provides compensation for personal injury or death resulting from certain crimes occurring within Manitoba. A claim may be filed by a person who is an innocent victim of a criminal incident or a surviving dependant of a person killed as a result of a crime. Compensation can include income replacement, funeral expenses, training and rehabilitation expenses, medical/dental costs and grief counselling for survivors of homicide victims.

In 2012/2013, the program processed 902 new applications for compensation. It also provided services to approximately 114 long-term pension and wage loss claimants. Total compensation expenses for the 2012/2013 fiscal year were \$3,263. Actuarial forecasts of long-term liabilities to meet the future compensation needs of all active compensation clients have decreased an estimated \$562.



## 2 (f) Compensation for Victims of Crime

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Other Expenditures	2,701		2,904	(203)	

## Law Enforcement Review Agency

The Law Enforcement Review Agency (LERA) is an independent civilian agency established under *The Law Enforcement Review Act* to investigate public complaints of abuse of authority by municipal and local police.

A registrar, clerk and four investigators assist the commissioner of LERA in handling complaints about municipal and local police conduct that arise in the execution of police duties. LERA does not investigate criminal matters. Such matters are referred to the appropriate law enforcement agency.

The act provides several ways to resolve complaints: informal resolution (mediation); admission of disciplinary default by the respondent police officer; or where evidence exists, referral to a Provincial Court judge for public hearing.

The office investigated 224 complaints during 2012/2013 as compared to 259 in 2011/2012. More information on LERA is available in the agency's annual report and on LERA's website at [www.gov.mb.ca/justice/lera](http://www.gov.mb.ca/justice/lera).

## 2 (g) Law Enforcement Review Agency

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	487	7.00	525	(38)	
Total Other Expenditures	103		109	(6)	

## Office of the Chief Medical Examiner

The Office of the Chief Medical Examiner (OCME), under the authority of *The Fatality Inquiries Act* (FIA), investigates all violent, traumatic, unexplained, unexpected and suspicious deaths in Manitoba, including the deaths of all children and residents of personal care homes and developmental centres. The OCME determines the cause and manner of death for all reportable cases and attempts to identify situations of risk.

Under the FIA, certain deaths require mandatory inquests. The purpose of an inquest, held by a provincial judge, is to make recommendations that may prevent future deaths under similar circumstances. Whether or not an inquest is called, the Chief Medical Examiner (CME) can make recommendations to the minister, government departments or agencies and others with respect to precautions or measures to prevent other similar deaths. The OCME also handles all reports of unclaimed bodies in Manitoba under *The Anatomy Act*.

The Minister of Justice, upon the recommendation of the CME, appoints Manitoba physicians as medical examiners. They have authority under the FIA to authorize autopsies and recommend inquests as necessary. There are 18 active fee-for-service medical examiners in Manitoba, 8 of whom are located in Winnipeg.

The OCME has 14 employees, including one part-time and seven full-time death investigators. During 2012/2013, a total of 6,286 deaths were reported to the OCME. The office investigated and certified 1,529 of these deaths, conducted 4,757 inquiries, ordered 1,080 autopsies and called seven inquests. The office handled 75 reports of unclaimed bodies. Approximately 3,500 requests for information are received annually.

The CME collaborates with foreign universities to provide specialized training to physicians taking post-doctoral studies in forensic pathology.

The OCME submits a report annually to the Minister of Justice on deaths of persons while in custody, deaths of involuntary residents of psychiatric facilities, and deaths of residents of developmental centres. The OCME also submits an annual report to the Minister of Health on the disposition of unclaimed bodies. In addition, the OCME publishes an annual report for the general public which provides a detailed statistical caseload review for the year. To obtain a copy of the OCME annual statistical report, please contact the office at 204-945-2088 or toll free at 1-800-282-8069.

## 2 (h) Office of the Chief Medical Examiner

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)		Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
		FTE			
Total Salaries	1,134	14.00	1,348	(214)	
Total Other Expenditures	2,536		2,410	126	

## Criminal Property Forfeiture

The Criminal Property Forfeiture Unit was established in June of 2009. Under the authority of *The Criminal Property Forfeiture Act*, the unit's director has access to a unique civil cause of action to seek forfeiture of proceeds and instruments of unlawful activity.

Civil actions under *The Criminal Property Forfeiture Act* are fully separate from criminal law and thus do not rely on successful criminal prosecutions. Forfeiture actions are initiated against property, not people. No criminal record is created and there are no findings of guilt or innocence. Although the director decides whether or not to initiate a civil forfeiture action, it is up to the Court of Queen's Bench to determine – on a balance of probabilities – whether property is proceeds or an instrument of unlawful activity. Monies resulting from successful forfeitures are deposited into the Criminal Property Forfeiture Fund. These funds are then distributed as provided for in section 19 of the act, including the compensation of victims and crime prevention activities.

Property subject to forfeiture must be located in Manitoba and includes both real property (real estate) and personal property (assets such as vehicles, jewellery and cash). Property located outside of Manitoba may also be appropriate for civil forfeiture but would need to be referred to the civil forfeiture office of jurisdiction.

*The Criminal Property Forfeiture Act* does not provide any powers of search or seizure. Instead, the act is designed to allow the director to work cooperatively with police to use evidence and information gathered in the course of criminal investigations. Material gathered by police during a criminal investigation can be forwarded to the director, who then determines if there is a viable civil forfeiture action. Before initiating a civil action, the director will confirm that the civil proceeding will not jeopardize or conflict with any criminal process related to the unlawful activity. In addition, the director will inquire whether the Crown has decided to pursue criminal forfeiture proceedings under federal legislation.

In the event that the director decides to initiate a civil forfeiture action, a statement of claim or application against the property is filed in the Court of Queen's Bench. The owner of the property can challenge the director's claim by filing a statement of defence or response to the application (Part II proceeding).

In June 2012, *The Criminal Property Forfeiture Act* was amended to allow for a simpler process, known as administrative forfeiture (Part III proceeding), in certain cases. This simpler process is available to the director in respect of cash or personal property having a value of \$75,000 or less; it must be in the possession of a law enforcement agency that seized it and not be subject to any prior registered interest. The property is forfeited in the event that no one disputes the director's notice of administrative forfeiture. In the event that the notice is disputed, the director must either continue the proceeding under Part II or discontinue it.

From April 1, 2012 through March 31, 2013, the director initiated civil forfeiture actions (Part II) against 24 properties. By year end, the majority of these matters remained under review by the Court of Queen's Bench.

However, 33 files, mainly from previous years, were resolved by the court during 2012/2013. Under administrative forfeiture proceedings (Part III), 202 files were initiated with 126 being resolved prior to year end. The total amount realized from the disposition of property under Part II and Part III was \$2.6 million.

Of the \$2.6 million forfeited, the total amount paid to interest holders was \$251,410. Legal costs were recovered in the amount of \$322,254 as well as administration costs of \$56,967. After accounting for costs and expenses, approximately \$1.3 million was retained in the Criminal Property Forfeiture Fund (CPFF) from the 2012/2013 fiscal year to promote safer communities through payments to law enforcement agencies, to contribute to victim services and to provide compensation for victims of crime. In 2012/2013, \$345,470 from the CPFF was committed to support law enforcement agencies, \$110,000 was contributed to victim services and a further \$163,106 was provided as compensation to victims of crime.

## 2 (i) Criminal Property Forfeiture

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	Estimate 2012/13 FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	417	5.00	464	(47)	
Total Other Expenditures	369		343	26	

## Manitoba Police Commission

The Manitoba Police Commission was established during 2010/2011 as the first phase of implementation of Manitoba's *Police Services Act*. With consideration given to the cultural and gender diversity found in Manitoba, nine (9) persons were appointed to sit as Commissioners on the Manitoba Police Commission.

Section 7 of the act identifies the Police Commission's statutory duties as:

- (a) providing advice to the minister on regulations dealing with the operation of police services and the conduct of police officers, including regulations prescribing standards for police services and police officers;
- (b) consulting with the public on matters relating to law enforcement and policing, and providing the results of those consultations to the minister;
- (c) developing a policy and procedures manual for police boards and a code of ethical conduct for members of police boards;
- (d) arranging for training to be provided to members of police boards and civilian monitors; and
- (e) performing any other duties assigned by the minister.

Section 8 of the act authorizes the Minister to direct the Police Commission to complete a study on a specific issue relating to policing and law enforcement.

The Manitoba Police Commission is staffed by an Executive Director, an Assistant Director and an Administrative Support position and has established offices at 1802 – 155 Carlton Street, Winnipeg.

In 2012/2013 the Manitoba Police Commission met its legislative obligation of creating a code of ethical conduct for members of police boards and developing a policy and procedure manual for police boards. With advice from the Manitoba Police Commission, Manitoba created and finalized the *Police Board Regulation*, which outlines eligibility requirements and appointment considerations for police board members as well as meeting notice requirements for police board meetings.

In June 2012, the second phase of the implementation of *The Police Services Act* brought sections of the act relating to the creation of police boards into effect, requiring police boards across the province to be in place by December 2012. The Manitoba Police Commission arranged for police board members from across the province to be trained. A two-day training session took place in Winnipeg in February 2013.



## 2 (j) Manitoba Police Commission

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	219	3.00	274	(55)	
Total Other Expenditures	204		195	9	

### Independent Investigation Unit

The Independent Investigation Unit is established under Part 7 of *The Police Services Act*. *The Police Services Act* requires that the Unit be headed by a civilian director who is not a current or former member of a police service or the Royal Canadian Mounted Police. Unless he or she resigns or his or her appointment is terminated, the civilian director shall hold office for five years from the date of the appointment. A person may be reappointed as civilian director for a second term of five years but may not serve more than two terms. The civilian director is responsible for the management, administration and operation of the Unit, overseeing all investigations undertaken by the Unit and performing all other duties imposed by the Act.

The Unit must conduct an investigation if a police officer has been involved in an incident where a person has died or suffered a serious injury or if there is evidence that a police officer has contravened a prescribed section of the *Criminal Code* or a prescribed federal or provincial statute. The civilian director must be notified by the police chief of the police service, of all such incidents as soon as practicable, whether or not the police officer was on duty at the time of the conduct in question. The civilian director must also be notified by the police chief of the police service of all other allegations of unlawful activity involving a police officer and may assume conduct of any investigation of such incidents if he or she considers it to be in the public interest to do so.

The civilian director may select a current or former member of the Royal Canadian Mounted Police, a current or former member of a police service in Manitoba or another Canadian province, or a civilian with investigative experience to be an investigator with the Unit, provided the person has the prescribed qualifications and experience. An investigator, while serving with the Unit, is under the sole command and direction of the civilian director.

The Manitoba Police Commission must appoint civilian monitors to mandatory investigations undertaken by the Unit or where the civilian director has requested the assignment of a civilian monitor to its investigations. The civilian monitor must monitor the progress of the investigation by the Unit in accordance with prescribed practices and procedures.

On March 5, 2013, the first civilian director for the Independent Investigation Unit was appointed. The new civilian director has begun the process of setting up the Unit, which includes identifying and locating office space, hiring investigators and office staff, and developing operational guidelines. The civilian director will continue to have discussions with key stakeholders and other jurisdictions on unit-related issues in order to identify best practices related to independent investigations of incidents involving police officers.

## 2 (k) Independent Investigation Unit

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	13	2.00	223	(210)	1
Total Other Expenditures	1		596	(595)	1

### Explanation:

1. Longer process to hire the Director resulted in salary and operating surplus

## Phoenix Sinclair Inquiry

The Phoenix Sinclair Inquiry was established to examine the circumstances surrounding the death of Phoenix Sinclair and, in particular, to inquire into:

- (a) the child welfare services provided or not provided to Phoenix Sinclair and her family under *The Child and Family Services Act*;
- (b) any other circumstances, apart from the delivery of child welfare services, directly related to the death of Phoenix Sinclair; and
- (c) why the death of Phoenix Sinclair remained undiscovered for several months.

The Honourable Edward (Ted) N. Hughes, O.C., Q.C., LL.D (Hon.), a retired Saskatchewan judge, has been appointed to lead this inquiry.

At March 31, 2013, the Commission had completed approximately 11 weeks of witness testimony and hearings were scheduled to recommence on April 15, 2013.

The Commission is mandated to complete this inquiry and deliver a final report containing recommendations for the consideration of Government by December 15, 2013.

## 2 (l) Phoenix Sinclair Inquiry

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Other Expenditures	5,464		4,732	732	1

### Explanation:

1. Additional legal and operating costs associated with delays in proceedings

## Civil Justice

The civil justice appropriation (04-3) is comprised of the Manitoba Human Rights Commission, the Family Law Branch, the Constitutional Law Branch, Legal Aid Manitoba, and a grant to the Manitoba Law Reform Commission. Legislative Counsel, albeit a separate division of the department, is also a part of the civil justice appropriation.

Manitoba Justice's two special operating agencies – Civil Legal Services and the Public Trustee – are also discussed in this section.

### Manitoba Human Rights Commission

The Manitoba Human Rights Commission is an independent agency of the Manitoba government. It has a mandate, under *The Human Rights Code*, to restrict unreasonable discrimination and to promote equality of opportunity. The commission enforces the provisions of *The Human Rights Code*, promotes human rights and develops and delivers human rights education programs throughout Manitoba.

A board of 10 commissioners, appointed by the Lieutenant-Governor in Council, establishes policies and disposes of complaints. Commission offices are located in Winnipeg, The Pas and Brandon.

The commission received approximately 4,400 inquiries from the public during the 2012 calendar year. It disposed of 258 formal complaints. While twelve complaints were referred to adjudication, five adjudication decisions were released during the year. The highest proportion of complaints registered at the commission continued to be on the basis of physical and mental disabilities at 47 per cent.

Approximately 285 people attended Commission seminars, which were held in Winnipeg and Brandon. Outreach presentations about human rights protections and the commission were delivered to an additional 2,675 people.

The 25<sup>th</sup> Anniversary of the *Human Rights Code (Manitoba)* was celebrated in June 2012 at the Manitoba Legislature. In 1987 *The Human Rights Code* was proclaimed and sexual orientation was added to the list of protected grounds, or as referred to in *The Code*, "protected characteristics." The celebration acknowledged those who were instrumental in the fight to have sexual orientation included as a protected ground against discrimination in Manitoba.

Amendments to *The Human Rights Code* were enacted to prohibit discrimination based on: gender identity, further protecting transgender Manitobans, and social disadvantage, further protecting individuals who are, or are perceived to be undereducated, underemployed, homeless or living in inadequate housing.

The Manitoba Human Rights Commission hosted the 2012 Canadian Association of Statutory Human Rights Agencies (CASHRA) Conference. The theme of the conference was *Are we there yet?* Delegates from Quebec, Ontario, Nova Scotia, New Brunswick, Prince Edward Island, Saskatchewan, Alberta, Newfoundland, Nunavut, The Yukon and the Northwest Territories attended.

More detailed information on the activities of the Manitoba Human Rights Commission is available in its separate annual report which is available on the commission's bilingual website at [www.manitobahumanrights.ca](http://www.manitobahumanrights.ca)

#### 3 (a) Manitoba Human Rights Commission

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,675	21.00	1,595	80	
Total Other Expenditures	475		458	17	

## Legislative Counsel

The Legislative Counsel Office prepares all Manitoba bills and regulations in English and French, as well as consolidations of current acts and regulations. The division's two branches, Legislative Counsel and Legal Translation, are headed by the Legislative Counsel, who is an assistant deputy minister and also the law officer of the Legislative Assembly.

### Legislative Counsel Branch

In addition to drafting all government bills and regulations, as well as some orders in council, this branch provides legal advice to all government departments on drafting bills and regulations. It also prepares final texts of all laws for publication in print and on the Manitoba Laws website.

Through the Legislative Developers' Network, the branch provides seminars on the legislative development process. Three such seminars were provided in 2012/2013.

The branch also provides services to the Legislative Assembly. It provides advice to the Speaker and the Clerk of the Assembly on various matters, and drafts bills, and motions to amend bills, for private members. It also publishes bills on the Legislative Assembly website.

### Legal Translation Branch

The Legal Translation Branch provides the French version of all bills, acts and regulations, as well as rules of procedure for courts and administrative tribunals. The branch also ensures all documents needed in the Legislative Assembly are available in English and French. This includes preparation of the French version of the orders of the day, votes and proceedings of the Assembly, and rulings of the Speaker.

In the session of the Legislature that ended on November 18, 2012, 41 government bills, 21 private members' bills and 2 private bills (comprising, in total, nearly 1,000 pages) were introduced in the Legislative Assembly. All of these bills were drafted and translated by the Legislative Counsel Office.

Approximately 190 regulations were registered during 2012/2013. With the exception of a few made by farm products marketing boards, those regulations were drafted and translated by the Legislative Counsel Office.

### 3 (b) Legislative Counsel

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	2,358	22.00	2,293	65	
Total Other Expenditures	341		342	(1)	

## Manitoba Law Reform Commission

The Manitoba Law Reform Commission (MLRC) is an independent law reform agency established by *The Law Reform Commission Act*. The commission issues reports with recommendations for the modernization and improvement of provincial laws. The commission began operations in 1971 and celebrated its 40<sup>th</sup> anniversary in 2011.

The commission currently has seven members appointed by the Lieutenant-Governor in Council and is funded through grants from Manitoba Justice and the Manitoba Law Foundation.

In 2012-2013, the MLRC released two final reports *The Nuisance Act and The Farm Practices Protection Act*, and *Commercial Tenancies: Section 17 of The Landlord and Tenant Act and Section 93 of The Real Property Act*.



The commission is currently engaged in the following projects: a project concerning environmental assessment and licensing in Manitoba; reform of *The Tortfeasors and Contributory Negligence Act*; a review of section 157 of *The Highway Traffic Act*; and, a review of *The Family Maintenance Act*.

Additional information on the Manitoba Law Reform Commission, including all reports, informal reports, issue papers and annual reports are available at [www.manitobalawreform.ca](http://www.manitobalawreform.ca).

### 3 (c) Grant to Manitoba Law Reform Commission

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Grant	85		85	0	

## Family Law

The Family Law Branch provides ongoing family law legal services and advice to a number of government departments and programs, including the Maintenance Enforcement Program, Family Conciliation, the Director of Child and Family Support and three regional child protection agencies, Employment and Income Assistance and the Vital Statistics Agency. The branch develops family law policy, programs and legislative initiatives at the provincial level; and through the Co-ordinating Committee of Senior Officials (CCSO) – Family Justice, the Family Law Branch also plays an active role at the national level. The branch also works to increase awareness of family law initiatives and issues for the general public, the legal profession and law students.

Counsel provides Crown opinions/charging authorization in appropriate cases to law enforcement officials throughout Manitoba in parental child abduction cases. Counsel also deal with international child abduction situations falling under *The Hague Convention on the Civil Aspects of International Child Abduction*. The branch also handles government responsibilities under *The Inter-jurisdictional Support Orders Act*.

The following are examples of some branch activities during 2012/2013:

- continued work with federal, provincial and international officials to review the international convention on maintenance obligations, including acting as provincial co-chair (legal) of the CCSO - Family Justice Working Group that has substantially completed a written analysis of the convention's compatibility with Canadian common laws and is assessing the operational and cost implications involved with implementation of this new international instrument
- continued active federal-provincial-territorial (FPT) work through CCSO - Family Justice by participating at the main table and on numerous working groups
- trilateral work with federal, provincial and Mexican and American officials on issues related to the practical operation of *The Hague Convention on the Civil Aspects of International Child Abduction*
- provided training for Child Abuse Committees
- participated in training and information sessions respecting *The Domestic Violence and Stalking Act* for protection order designates
- presented on inter-jurisdictional support and custody/access/parental child abduction issues to students at University of Manitoba, Faculty of Law and on family law generally to students at the University of Winnipeg
- reviewed and updated portions of the CPLED (Bar admissions course) family law materials
- continued to receive and respond to a volume of family law-related inquiries from members of the public for general family law information
- assisted [manitobaparentzone.ca](http://manitobaparentzone.ca) (a web page developed by Family Services and Labour) by providing responses to family law-related questions received through their Ask an Expert forum
- substantially completed revisions of *Family Law in Manitoba* and *A Guide to Changing Child Support Orders in Manitoba* with a view to publishing updated booklets by the fall of 2013
- continued conduct of regular maintenance enforcement show cause hearings, including participation in the operation of the auto-order system at Winnipeg dockets

- continued conduct of video maintenance enforcement show cause dockets from Thompson, The Pas and Dauphin
- continued work with Family Conciliation, providing comprehensive co-mediation services to parents and assisting with other Family Conciliation initiatives such as *First Choice* and grandparent support
- assisted with the development of a new legal information video to be used by Family Conciliation in its parent education program; *For the Sake of the Children*
- assisted the Child Support Recalculation Service ("CSRS") by conducting recalculations for cases where CSRS staff counsel and contract counsel were unable to act due to a conflict of interest
- participated on the Standard Clauses Sub-Committee to review and revise existing standard clauses and develop new ones

The branch consists of a director, nine Crown counsel and four support staff.

### 3 (d) Family Law

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	1,712	15.00	1,764	(52)	
Total Other Expenditures	178		161	17	

## Constitutional Law

The Constitutional Law Branch provides the provincial government with efficient, cost-effective legal services on constitutional matters.

Branch counsel provides advice to government departments on constitutional issues when drafting programs and legislation. They also provide advice on language rights, Aboriginal and treaty rights, Aboriginal title claims, Aboriginal consultation requirements and constitutional issues of national concern.

Branch counsel also defends government programs and legislation before the courts in response to constitutional challenges in civil and criminal cases. In 2012/2013, the branch received 98 notices of constitutional challenge. 57 notices involved criminal cases while 41 notices were constitutional challenges in civil claims against the provincial government.

During 2012/2013, branch counsel appeared in all levels of court in Manitoba and in the Supreme Court of Canada on a variety of constitutional cases including cases on legal aid funding, Aboriginal rights, health care services, labour jurisdiction, tobacco taxation and challenges to various provisions of provincial statutes.. Branch counsel also provided assistance to Prosecutions regarding constitutional issues raised in criminal cases including admissibility of evidence, disclosure obligations, arbitrary detention, and appointment of counsel and allegations of abuse of process.

The branch consists of a director, six Crown counsel and two support staff.

### 3 (e) Constitutional Law

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	977	10.00	1,136	(159)	
Total Other Expenditures	177		217	(40)	

## Legal Aid Manitoba

Legal Aid Manitoba (LAM) is an independent agency of the provincial government established by *The Legal Aid Manitoba Act*. The agency is managed by a management council consisting of at least seven but no more than nine members appointed by the Lieutenant-Governor in Council.

LAM provides three types of services: drop-in advice and information, formal representation and duty counsel. Formal representation is limited to serious criminal matters, serious immigration matters and many family matters; moreover, it is provided to individuals who meet financial eligibility guidelines. Duty counsel provides early stage legal representation for individuals who qualify financially, who are in custody or have been arrested or charged with an offence. LAM also has a number of special programs such as the Public Interest Law Centre and the University of Manitoba Law Clinic, as well as poverty law, northern paralegal and other outreach programs.

Highlights of agency accomplishments in 2012/2013 included the following:

- LAM provided assistance to the courts in Winnipeg, Pine Falls and in the North by reducing the turnaround time that it takes for accused to be appointed counsel; created a new certificate type to allow counsel to act as "friend of the court" where accused may be unrepresented or where the case may have unique complexities; and streamlined its financial review process to remove barriers to clients and facilitate counsel to work more effectively.
- LAM completed its province-wide restructuring to smaller law centres that provide more efficient service and greater capacity to handle conflict cases throughout the province.
- LAM provided counsel for the mental health court.
- LAM widened its capacity to provide services for clients seeking remedies pertaining to income security and housing issues by reallocating staff.

In 2012/2013, 33,286 people applied for legal aid. Of those, 28,643 were granted legal aid services by a staff or private bar lawyer. In addition, 17,252 people were provided with informal advice and information and 42,854 were assisted by duty counsel. In all, the total number of people assisted during the year was 88,749.

More information on Legal Aid Manitoba, including its annual report, is available on the Internet at [www.legalaid.mb.ca](http://www.legalaid.mb.ca).

### 3 (f) Legal Aid Manitoba

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	14,391		14,474	(83)	
Total Other Expenditures	14,193		13,010	1,183	1

**Explanation:**

1. Increase in private bar payments reflecting an increase in case files

*Note: All staff positions assigned to Legal Aid are excluded from the departmental full time equivalent position count due to their Crown corporation status.*



## Civil Legal Services

Civil Legal Services functions as the law firm to the provincial government. It provides legal services to all government departments, agencies, boards, commissions, committees and government corporations that do not have their own legal counsel. The role of Civil Legal Services flows from the constitutional and statutory responsibilities of the Attorney General as the chief legal advisor to government and the guardian of the public interest.

While Civil Legal Services commenced operation as a provincial government special operating agency (SOA) on April 1, 1995, it remains a branch within Manitoba Justice. Detailed information on the agency can be found in the *Annual Report of the Civil Legal Services Special Operating Agency*. This report is available on the Internet at [www.gov.mb.ca/justice/publications/annualreports/](http://www.gov.mb.ca/justice/publications/annualreports/).

## The Public Trustee

The Public Trustee provides trustee services for a fee to the people of Manitoba in situations where no one else is capable or willing to do so. The Public Trustee provides the following types of trustee services:

- administering estates and making personal decisions for people who are not mentally capable of doing so
- administering the estates of mentally competent people who have granted a power of attorney to the Public Trustee
- administering the estates of people who have died in Manitoba with no one else capable or willing to act as administrator
- administering trust monies for people under 18
- administering some adult trusts

While the Public Trustee commenced operation as a provincial government special operating agency (SOA) on April 1, 1996, it remains a branch within Manitoba Justice. Detailed information on the Public Trustee can be found in the agency's annual report. This report is available on the Internet at [www.gov.mb.ca/justice/publictrustee/](http://www.gov.mb.ca/justice/publictrustee/).

## Corrections

As the largest division of the department, Corrections contributes to the protection of society by: administering sentences imposed by the courts, the humane care, control and reintegration of offenders into society, working with community agencies, government departments and other levels of government to support crime prevention activities and policies, and the encouragement of active community participation in achieving these objectives.

The corrections appropriation (04-4) is comprised of three sub-appropriations: Corporate Services, Adult Corrections and Youth Corrections.

During 2012/2013, the Corrections Division continued to face the challenge of accommodating high levels in the adult custody population. From 2011/2012 to 2012/2013, the average adult custody population increased by 8 per cent and the four year cumulative increase from 2008/2009 to 2012/2013 was 48 per cent. While the division experienced a 3 per cent increase in the average youth custody population from 2011/2012 to 2012/2013, the four year cumulative trend from 2008/2009 to 2012/2013 was an increase of 6 per cent. In order to manage increasing adult offender populations, the government has committed to expanding available bed-space in provincial correctional facilities.

Highlights of divisional activities and initiatives in 2012/2013 included the following:

- The division continued to operate the Winnipeg Auto Theft Suppression Strategy (WATSS) in 2012/2013 in collaboration with Manitoba Public Insurance, the Winnipeg Police Service and the Manitoba Prosecutions Service. This program seeks to turn offenders away from auto theft crime with a community-based intervention strategy. Supervision increases significantly as young offenders enter the high and very-high-risk groups. Through the collaborative efforts of WATSS, auto theft has been reduced by 81 per cent in Winnipeg since 2004. The WATSS has been expanded to include adult offenders who are subject to similar program expectations as the youth.
- A gang suppression and prevention initiative called 'Spotlight' continued to operate in 2012/2013. This program is designed to combine close supervision and swift consequences with collaborative community services to help youth deal with substance abuse, stay in school or find a job. These programs are part of the three-pronged approach to reducing youth gang activity in the province through prevention, intervention and suppression initiatives.
- The Division continued to operate the Gang Response and Suppression Program (GRASP) in 2012/2013. GRASP is an integrated initiative aimed at gang violence that brings together police, prosecutions and probation to coordinate an intensive community risk management plan. GRASP currently has capacity for 100 offenders in the program.
- The division continued to initiate construction plans at a number of facilities to expand bed space and to create delivery models that align themselves with the principles of a rehabilitative model in 2012/2013. At the Women's Correctional Centre, 25 federal beds were completed and put into operation. At Headingley Correctional Centre, a trades building was converted to a 64 bed living unit and two existing units were converted into a rehabilitative model committed to dealing with drug and alcohol addictions. Lastly, at Milner Ridge Correctional Centre, a 160 bed medium security unit was completed.
- A partnership was continued with Nova Scotia to implement the ongoing pilot electronic monitoring program for up to 20 high-risk auto theft offenders. This pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg.
- Manitoba Corrections continued moving forward with the development and implementation of a Case Management Model. The Model applies a standard of case management service delivery in community corrections and correctional centers across the province. Integral to the principles of the model is the notion of integrated service delivery while ensuring offenders seamlessly transition between case managers by utilizing similar risk assessment tools, intervention skills, and methods, all of which are evidence-based and grounded in the "What Works" literature.
- The division continued an agreement with the John Howard Society to provide a bail assessment and supervision program for up to 75 male offenders and a residential bail program for up to 20 male offenders.
- The division provided funding to the Manitoba Métis Federation (MMF), Southern Chiefs' Organization (SCO) and Manitoba Keewatinowi Okimakanak (MKO) to support community justice alternative programming in their respective communities. Ongoing support was also provided to Onashowewin (a community-based Aboriginal justice program that provides community justice alternatives to both adult and young offenders) in Winnipeg, and the Community Holistic Circle of Healing in Hollow Water that delivers a

holistic approach to address the community's justice needs including working with victims, victim support, offenders, offender support and the community as well as to Fisher River First Nation.

- In an effort to better understand and effectively deal with youth with complex needs, Youth Corrections trained staff at the Manitoba Youth Centre and Agassiz Youth Centre in Trauma Informed Care, Fetal Alcohol Spectrum Disorder (FASD) and Responsible Ability Pathways (RAP).

## Corporate Services

The Corporate Services Branch provides leadership to the division in co-ordinating the integration of services to all branches as well as strategic policy development, budget analysis and control, capital planning and review, information system development and maintenance, co-ordination of chaplaincy and medical services, internal investigations, operational reviews and audits, training, program development, research and Aboriginal service development.

During 2012/2013, the training component of the Corporate Services Branch was responsible for training 237 new correctional officers for adult and youth custody facilities.

### 4 (a) Corporate Services

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	2,191	29.00	2,808	(617)	1
Total Other Expenditures	800		724	76	

#### Explanation:

1. Primarily recruitment process and under-fills of budgeted positions and retirements

## Adult Corrections

The Adult Corrections Branch manages adult offenders sentenced to less than two years<sup>2</sup> and remanded adult offenders. The branch also supports community justice measures and case manages offenders in the community and in custody.

The branch is responsible for the care and custody of adult offenders sentenced to prison for up to two years less a day, or detained in custody while waiting for a court disposition (which is known as remand custody). It also provides services for offenders in custody to help them reintegrate into society. The branch operates seven correctional institutions: Milner Ridge Correctional Centre, Women's Correctional Centre, The Pas Correctional Centre, Brandon Correctional Centre, Dauphin Correctional Centre, Headingley Correctional Centre and the Winnipeg Remand Centre.

Branch staff manages court orders involving offender supervision/intervention in the community and preparing court reports. Offender supervision in the community involves probation orders, conditional sentence orders and peace bond orders. The work consists of risk assessments, case planning, focussed interventions and referrals to community agencies as well as compliance management. Some regions supervise community service orders and fine option programs. Community corrections offices for adult offenders serving their sentences in the community are located in Winnipeg and all rural centres across Manitoba.

The following are highlights of program volumes in 2012/2013:

- The average monthly adult probation and conditional sentence supervision caseload size in 2012/2013 increased to 7,606 from 7,234 from the previous year.

<sup>2</sup> Offenders sentenced to two years or more in custody become the responsibility of the federal government (Correctional Service of Canada).

- The average daily adult custody population in Manitoba increased in 2012/2013 to 2,425 from 2,253 the previous year.

#### 4 (b) Adult Corrections

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	Estimate 2012/13 FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	149,495	1,547.69	125,712	23,783	1
Total Other Expenditures	23,516		18,773	4,743	2
Total Programs and External Agencies	3,035		2,886	149	
Total Recoveries from Other Appropriations	(4)		(5)	1	

#### Explanations:

1. Significant overtime and additional staff requirements as a result of the high adult custody population
2. Requirements for additional volume sensitive items, particularly food, medicine, clothing, transportation and supplies to accommodate the high custody population

### Youth Corrections

The Youth Corrections Branch is responsible for the continuum of services for youth involved with the law. The branch is directly responsible for the two youth facilities (Manitoba Youth Centre and Agassiz Youth Centre), probation services in Winnipeg, and policy direction throughout Manitoba on all other youth justice matters.

Branch staff manages court orders involving youth, prepare court reports, and provide community justice as an alternative to the formal court process. Offender supervision in the community also involves new supervision orders under the *Youth Criminal Justice Act*. The branch is also responsible for community service orders, fine option, the Intensive Support and Supervision Program, the Youth Bail Management Program and behaviour intervention programs. Community justice approaches include mediation, conferences, forums and community justice committees. Community corrections offices, which provide support for young offenders serving their sentences in the community as well as young people who have been referred to community justice, are located in Winnipeg and a number of rural centres across Manitoba.

The Youth Corrections Branch is also responsible for the delegated authority of the provincial director under the *Youth Criminal Justice Act*. This involves a series of responsibilities, including issuing warrants, suspensions and changing levels of custody.

The following are highlights of program volumes in 2012/2013:

- The average youth probation supervision caseload size in 2012/2013 decreased to 1,596 from 1,667 the previous year.
- There were 46 justice committees operating across the province during 2012/2013 and more than 200 volunteer committee members administered community justice (extra-judicial) measures and provided crime prevention and community education services in their communities<sup>3</sup>.
- The average daily youth custody population in Manitoba increased to 283 in 2012/2013 from 275 the previous year.

<sup>3</sup> In addition to the youth justice committees, the Youth Corrections Branch has other volunteers assisting in delivering correctional services in the community and in youth custody facilities. These activities include tutoring, bail supervision and other services.



#### 4 (c) Youth Corrections

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	40,673	454.48	40,888	(215)	1
Total Other Expenditures	4,178		4,921	(743)	2
Total Programs and External Agencies	1,300		1,280	20	

**Explanations:**

1. Primarily recruitment process, under-fills of budgeted positions and retirements in Youth Community
2. Primarily surpluses associated with youth custody and community supplies and services, professional services, rental costs and Intensive Rehabilitative Custody and Supervision program client cases and special projects

## Courts

The Courts Division manages the effective and efficient delivery of court services throughout the province. This includes criminal, family, civil, small claims and summary conviction court matters, court security, prisoner transport, civil enforcement of court orders, and operational support. These services are provided through the division's five branches: Court Services, Winnipeg Courts, Regional Courts, Judicial Services and Manitoba Sheriff Services. The courts appropriation (04-5) is comprised of five sub-appropriations for the division's five branches.

Division services are provided to three levels of court: the Court of Appeal, the Court of Queen's Bench (including the Small Claims Court) and the Provincial Court (including the Summary Convictions Court). (See Appendix II, III and IV for more information on Manitoba court locations and circuits.)

The division manages the Maintenance Enforcement Program (MEP) which enforces court orders and separation agreements that require payment of family support. If necessary, collection action may be taken, including interception of federal payments, garnishing orders, seizure of personal property, property liens, suspension of driving privileges, denial of passports and prosecution.

The division also manages the Fine Collection Program and the Restitution Program. The Fine Collection Program, on behalf of the Manitoba government, municipal governments and the Victims' Assistance Trust Fund, processes, disburses and enforces provincial statute and *Criminal Code* fines that have been ordered by the court. If necessary, collection action may be taken if a fine is not paid voluntarily and within court prescribed time limits. This may include registering the debt with a third party collection agency or credit reporting agency, placement of holds on driver's licences and vehicle registrations, garnishing orders, property liens or property seizure. The Restitution Program monitors the payment of court ordered restitution (money owed to a victim of crime). If payment is not made, the program will advise Corrections Division staff for further action or charges, or advise the victim on the necessary steps to proceed to civil judgment.<sup>4</sup>

The Review Board forms part of the Courts Division. It is an independent panel established under the *Criminal Code* to deal with those charged with criminal offences who have been found unfit to stand trial or have been found not criminally responsible because of a mental disorder.<sup>5</sup>

The division includes the Vehicle Impoundment Registry which is the administrative centre where the status of each vehicle seized in Manitoba is recorded. Detailed information on the Vehicle Impoundment Registry can be found in its annual report. To obtain a copy, call 204-945-4454 in Winnipeg.

In response to a number of accidental releases of persons in custody, the Minister of Justice directed that a comprehensive, independent review of factors leading to accidental releases be conducted. The review was completed and the recommendations are being implemented. The review found that the accidental releases tend to result from unique sets of circumstances combined with human error, especially in complex legal cases. The review recognized that the department takes each such release very seriously. The author, an expert on court administration, concluded that the different divisions of the department need to be better connected through technology and improved internal communication and that staff needs standardized training, comprehensive procedure manuals and focused professional development. Six persons were accidentally released in 2012/2013.

## Court Services

The Court Services Branch provides Winnipeg Courts, Regional Courts, Judicial Services and Manitoba Sheriff Services with expertise in administration, financial management, governance, project reviews, planning of information systems, and facilities design and use. The branch is also responsible for the collection of court ordered family support and fines.

<sup>4</sup> Restitution ordered solely to Manitoba Public Insurance (MPI) is excluded from this process. MPI monitors these restitution orders separately.

<sup>5</sup> In accordance with *The Public Sector Compensation Disclosure Act*, the six members of the Review Board received \$60,000 in compensation in the aggregate and there were no board members that individually received compensation of \$50,000 or more annually.



Highlights during the 2012/2013 fiscal year included:

- In 2012/2013, the Maintenance Enforcement Program had more than 13,200 files and disbursed \$58.8 million dollars in maintenance payments to recipients, and also directed a total of \$3.6 million dollars to the Minister of Finance to offset income assistance costs. The program took the following enforcement actions against debtors during 2012/2013: issued 2,403 federal support deduction notices, 5,771 support deduction notices for wages and bank accounts and 15 pension garnishing orders; initiated 3,117 notices of intent to suspend driver's licences; and served 254 summonses by Sheriff Services Civil Enforcement to appear before the court. Special investigative and enforcement efforts continued to be focused on the relatively small number of debtors who have habitually failed to comply with their support obligations. The increased enforcement actions are a result of the M<sup>3</sup>P system's capacity to quickly identify files where default has occurred so that automated enforcement actions can be taken.
- In 2012/2013, the Fine Collection Program processed \$53.5 million dollars for provincial statute and *Criminal Code* fines including fines that were paid voluntarily and within court prescribed time frames. In addition, over 23,200 active driver's licence holds and 23,600 motor vehicle registration holds were put in place and 1,875 collection actions (which include garnishing wages and bank accounts) and nine writs (to seize vehicles) were utilized for the collection of outstanding fines. Overall in 2012/2013, enforcement action resulted in a total of \$10.3 million dollars in outstanding fines recovered - including large account balances.
- The Large Account Balance Program was implemented in 2006/2007 to target large balance accounts that have outstanding overdue amounts totalling more than \$2,000. 2012/2013 was the seventh year for the program collecting almost \$2.1 million for a total of \$10.7 million<sup>6</sup> over the seven years.
- The Restitution Program received and disbursed approximately \$815,000 in restitution payments to victims of crime.

#### 5 (a) Court Services

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	4,957	79.00	5,213	(256)	1
Total Other Expenditures	3,105		2,877	228	
Recoverable from Part B – Capital	(200)		(409)	209	1

#### Explanation:

1. Reduction in staff resources dedicated to the implementation of the Manitoba Maintenance Management Program (M<sup>3</sup>P) in the post production phase which is recovered from Part B Capital

### Winnipeg Courts

The Winnipeg Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Court of Appeal, the Court of Queen's Bench (civil, criminal and family), and the Provincial Court (adult, youth, family and Summary Convictions Court). Services are also provided to eight circuit court locations outside Winnipeg.

The Winnipeg Courts Branch accepts guilty pleas and/or payments of fines issued by agencies throughout Manitoba. The branch also accepts deposits of monies which are held in trust and later disbursed through the Suitors' Trust System.

The branch is responsible for the operations of the jury management system, ensuring that sufficient jurors are available to meet the jury trial needs of the Court of Queen's Bench.

<sup>6</sup> This total may not add up from previous years due to rounding.

Branch highlights for 2012/2013 included:

- The Manitoba Court of Appeal centre opened 198 new files in the 2012 calendar year.
- The Winnipeg and St. Boniface Court of Queen's Bench centres opened 17,186 new files and added 191,907 documents to the Court Registry System.
- A total of \$6 million dollars was received and held in trust within the Suitors' Trust System.
- The Provincial Court processed 56,267 new charges<sup>7</sup> (youth and adult) in the Winnipeg centre.
- Summary conviction matters totalled 195,774 in new tickets throughout Manitoba, with the majority being administered through the Summary Convictions Court in Winnipeg. These included 117,208 regular Common Offence Notice (CON) tickets and 78,566 Image Capturing Enforcement System (ICES) tickets.
- 21 jury trials were held in Winnipeg and Winnipeg Jury Management issued 10,500 jury summonses (out of 30,000 names obtained from Manitoba Health cards).
- The Transcription Services Unit (TSU) arranged for transcription of over 145,844 pages of court proceedings, representing approximately 3,007 transcript requests.
- The Review Board held 105 hearings, totalling 25 sitting days, for patients under its jurisdiction. During 2012/2013, the Board dealt with a total of 101 patients. As of March 31, 2013, 93 patients remained under the board's jurisdiction.
- The Vehicle Impoundment Registry maintained records for 4,439 vehicles seized from people driving while suspended or prohibited; with blood alcohol content over 0.08; refusing a breathalyzer; refusing or failing a field sobriety test; or committing prostitution related offences.

#### 5 (b) Winnipeg Courts

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)		Estimate 2012/13 FTE \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	7,989	156.00	8,064	(75)	
Total Other Expenditures	1,317		1,285	32	

### Regional Courts

The Regional Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Court of Queen's Bench (civil, criminal and family) and the Provincial Court (adult, youth and family) outside Winnipeg. The regional courts structure provides decentralized court services in two regional centres, Thompson and Brandon. Services are provided in 12 court locations and 48 circuit court locations.

The Regional Courts Branch accepts guilty pleas and/or payments of fines issued by agencies throughout Manitoba. The branch also accepts deposits of monies which are held in trust and later disbursed through the Suitors' Trust System.

The branch also manages the Aboriginal Courtworker Program. The program is intended to assist Aboriginal people to recognize their rights and obligations and to understand how the criminal justice system functions. Specifically, Aboriginal court workers provide information that can increase access to alternative methods of justice, resources, and programs to Aboriginal clients. In addition, staff of this program collaborates with justice officials and other justice system stakeholders to improve knowledge of Aboriginal values, customs, languages and living conditions. Services are provided in English, Cree, Ojibwé, Oji-Cree and Dakota at court and circuit court locations throughout Manitoba.

The Regional Courts Branch works with Aboriginal communities to enhance their involvement in the court process. Regional Courts encourages First Nation communities to identify Elder roles in the court process and

<sup>7</sup> While Manitoba Prosecutions Service opened 53,369 files in 2012/2013, the Provincial Court processed 100,618 new adult and youth charges in the fiscal year. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions.

to promote regular participation at sittings of the Provincial Court in their communities. Through agreements with the Manitoba Keewatinowik Okimakanak (MKO) and St. Theresa Point First Nation, Courts Division programs enable communities to establish community justice workers who work with their respective First Nations to use traditional healing to bring offenders and the community to peaceful solutions, liaise with the police and the Crown to foster understanding of community issues, and provide the judiciary with options for culturally appropriate dispositions.

The Department has begun to streamline the circuit court schedules in order to maximize resources and resolve cases more quickly.

Branch highlights for 2012/2013 included:

- The regional Court of Queen's Bench centres opened 3,425 new files and added 47,116 documents to the Court Registry System.
- The Provincial Court processed 44,351 new charges<sup>8</sup> (youth and adult) in the regional court offices.
- Three jury trials proceeded in the regions and 4,050 jury summonses were issued (out of 15,000 names obtained from Manitoba Health cards).
- The Aboriginal Courtworker Program assisted 12,957 clients.
- The six regional Transcription Services Units arranged for transcription of approximately 27,981 pages of court proceedings, representing 872 transcript requests.

### 5 (c) Regional Courts

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	4,686	80.00	4,611	75	
Total Other Expenditures	2,289		2,268	21	

## Judicial Services

The Judicial Services Branch provides direct support to the judiciary of the Court of Appeal, the Court of Queen's Bench and the Provincial Court through judicial assistants, researchers and coordinators. Judicial services are also provided throughout the province by small claims court officers and justices of the peace. Branch staff facilitates the effective operation of the courts by acting as a liaison between the judicial branch of government, the executive branch of government, the public and the legal profession.

Under the direction of the Chief Justice of the Court of Queen's Bench and the Chief Judge of the Provincial Court, all appearances on criminal, civil and family matters before the courts are scheduled by coordinators to ensure effective use of judicial resources and courtrooms. This includes Provincial Court pre-trial coordinators who preside in court to ensure that procedural matters are addressed within agreed-upon timelines, freeing up judges to deal with the substantive legal issues.

Over 160 justices of the peace (including 21 judicial justices of the peace) provide judicial services in 12 court locations and over 50 communities under the judicial direction of the Chief Judge of the Provincial Court. There are three types of justices of the peace in Manitoba: judicial justices of the peace, staff justices of the peace and community justices of the peace. Judicial justices of the peace perform duties where independence from the executive and legislative branches of government is required such as conducting trials and sentencing hearings under *The Summary Convictions Act*, hearing protection order applications under *The Domestic Violence and*

<sup>8</sup> While Manitoba Prosecutions Service opened 53,369 files in 2012/2013, the Provincial Court processed 100,618 new adult and youth charges in the fiscal year. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions.

*Stalking Act*, and issuing search warrants. Staff justices of the peace are located in court offices throughout the province and their duties include such matters as setting hearing dates, reviewing documents with an accused person and processing the laying of charges. Community justices of the peace are community members who volunteer to perform duties similar to staff justices of the peace in their community such as the swearing of Informations, witnessing documents and issuing subpoenas.

Five court officers in the Court of Queen's Bench hear small claims court matters in 17 locations throughout Manitoba.

Branch highlights for 2012/2013 included:

- Ongoing educational programs were provided to all justices of the peace through the office of the Director of Justice of the Peace Services under the direction of the Chief Judge of the Provincial Court.
- Ongoing educational programs were provided, in conjunction with Winnipeg and Regional Courts Branches to court staff throughout the province.
- Ongoing monitoring of the case management initiative implemented in the Provincial Court in Winnipeg and Portage la Prairie to more efficiently manage multi-day criminal cases.
- At the direction of the Associate Chief Justice of the Court of Queen's Bench, implemented a criminal trial court scheduling reform for the Thompson Centre of the court designed to make the scheduling of criminal matters more efficient and to provide better service to the legal profession and the public.
- Supported the development and implementation of a Mental Health Court of the Provincial Court in Winnipeg that commenced sittings in May 2012.

More information on the Provincial Court of Manitoba is available in its annual report, which is available on the Manitoba Courts website at [www.manitobacourts.mb.ca](http://www.manitobacourts.mb.ca).

#### 5 (d) Judicial Services

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	21,995	87.00	21,874	121	
Total Other Expenditures	2,723		2,442	281	1

##### Explanation:

1. Increased expenditures for judicial travel, transcripts, publications, desktop information technology, judicial appointment committee and other general operating costs

#### Sheriff Services

Sheriff Services is comprised of Winnipeg and regional Sheriff Services' offices.

Winnipeg operations are responsible for the security of 53 courtrooms in the Winnipeg Law Courts Complex and the security at eight circuit court locations. A perimeter security system is operated at the Winnipeg Law Courts Complex, preventing weapons and other contraband from entering the facility.

Regional operations have five offices located across Manitoba including, Portage la Prairie, Brandon, Dauphin, The Pas and Thompson. Regional Sheriffs service 12 court and 48 circuit court locations.

Sheriff Services is responsible for the transport of all incarcerated persons to and from court from the various federal and provincial correctional facilities in Manitoba. Sheriffs also enforce all writs of seizure and sale; conduct evictions; arrest individuals on civil warrants; and serve various summonses, subpoenas, protection orders and other court directed documents.

Branch highlights for 2012/2013 included:

- Winnipeg sheriffs transported 10,449 prisoners to court, travelled 628,647 kilometres by road and 20,204 kilometres by air.



- Regional sheriffs transported 20,045 prisoners to court, traveled 1,082,445 kilometres by road and 196,637 kilometres by air.
- Sheriff Services provided security at 21 jury trials in Winnipeg and three in regional court offices.
- Winnipeg Sheriffs utilized video conferencing technology for 11,180 prisoner court appearances.
- Regional Sheriffs utilized video conferencing technology for 125 prisoner court appearances.
- Sheriff Services provided Lawyer Video Interview (LVI) terminals in Thompson Courthouse and five provincial institutions.
- Sheriff Officers scanned 280,594 individuals entering the Winnipeg Law Courts Complex.
- Sheriffs served a total of 2,954 legal documents including protection orders and subpoenas (2,032 by Winnipeg officers; 922 by regional officers).
- Sheriffs executed 249 writs of seizure and sale (219 by Winnipeg officers; 30 by regional officers).
- Winnipeg Sheriffs processed and transferred 240 accused persons through the Sheriff Officer Warrant Diversion Project Process.
- The Civil Enforcement Unit issued 3,600 sheriffs' certificates provincially.
- Total monies received from all sources (including sheriffs' certificates) was \$189,000.

#### 5 (e) Sheriff Services

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
Total Salaries	9,164	106.72	7,796	1,368	1
Total Other Expenditures	3,036		2,065	971	1

#### Explanation:

1. Additional staffing and travel costs for prisoner escorts related to the high custody population



## Costs Related to Capital Assets

Manitoba Justice's inventory of capital assets includes machinery, equipment and information systems. The department is required to amortize its assets, which is a gradual write-off of the initial cost of the asset over its useful life. In addition, interest expense is also applied to capital funds on net book value.

Major capital assets requiring amortization in 2012/2013 included SAP support, government air, and existing assets including equipment and information systems projects and major computer applications.

- SAP support refers to the protection, maintenance and enhancement of the government's SAP software. Introduced in 1999, SAP (Systems, Applications and Products in Data Processing) is the integrated management software Manitoba uses to support business and administrative requirements across government. SAP software is used by many staff and as a result Manitoba Justice is required to pay a share of the overall government amortization costs for the system.
- Government air refers to the department's contribution (based on use) to amortize the province's fleet of aircrafts, used primarily by justice personnel for circuit court travel.
- The existing asset inventory includes information technology projects, major computer applications, furniture, equipment and machinery.

The amortization of existing assets and interest expense are provided as of March 31, 2013.

### 04-6 Costs Related to Capital Assets

Expenditures by Sub-Appropriation	Actual 2012/13 \$(000s)	FTE	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
SAP support	340		340		
Government air	252		255	(3)	
Amortization—Existing assets at March 31, 2013	1,802		2,075	(273)	1
Interest expense	980		1,037	(57)	1
<b>Total</b>	<b>3,374</b>		<b>3,707</b>	<b>(333)</b>	

#### Explanation:

1. Deferral/cancellation of projects in correctional centres as the projects could not be started/completed in the fiscal year

## Reconciliation Statement of Printed Vote

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# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2013 with comparative figures for the previous year

2012/13 Estimate \$(000s)	Appropriation	2012/13 Actual \$(000s)	2011/12 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-1 Administration, Finance &amp; Justice Innovation</b>					
37	(a) Minister's Salary	37	37	-	
	(b) Executive Support				
664	Salaries	657	626	31	
95	Other Expenditures	79	129	(50)	
	(c) Policy Development and Analysis				
458	Salaries	444	371	73	
116	Other Expenditures	96	96	-	
	(d) Financial & Administrative Services				
1,489	Salaries	1,368	1,294	74	
419	Other Expenditures	576	456	120	
	(e) Human Resource Services				
	Salaries			0	
	Other Expenditures			0	
	(f) Computer Services				
1,230	Salaries	536	842	(306)	
561	Other Expenditures	467	482	(15)	
(227)	Less: Recoverable from Part B - Capital	(35)	(79)	44	
<b>4,842</b>	<b>Subtotal 04-1</b>	<b>4,225</b>	<b>4,254</b>	<b>(29)</b>	

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2013 with comparative figures for the previous year

2012/13 Estimate \$(000s)	Appropriation	2012/13 Actual \$(000s)	2011/12 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-2 Criminal Justice</b>					
	(a) Administration				
381	Salaries	368	385	(17)	
97	Other Expenditures	93	46	47	
	(b) Manitoba Prosecutions Service				
23,719	Salaries	22,216	20,359	1,857	1
4,203	Other Expenditures	4,824	4,527	297	
784	Witness Programs	1,378	1,295	83	
	(c) Provincial Policing				
117,528	Gross Expenditures	117,781	113,622	4,159	2
(2,000)	Recovery: Rural Economic Development Initiatives	(2,000)	(2,000)	0	
	(d) Aboriginal and Community Law Enforcement				
1,977	Salaries	1,716	1,404	312	3
671	Other Expenditures	633	488	145	
285	Programs	390	228	162	3
	(e) Victim Services				
3,600	Salaries	3,349	3,323	26	
596	Other Expenditures	734	615	119	
240	Grants	211	239	(28)	
	(f) Compensation for Victims of Crime				
2,904	Other Expenditures	2,701	3,602	(901)	4
	(g) Law Enforcement Review Agency				
525	Salaries	487	457	30	
109	Other Expenditures	103	106	(3)	

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1. Prosecutions – Salary increase and additional staff to address workload.

2. Provincial Policing – Year-over-year increase in member salaries and operating expenses.

3. Aboriginal and Community Law Enforcement – Year-over-year increase in salaries, retirement payments and protected witness volume.

4. Compensation for Victims of Crime – Variance results from a reduction in both compensation payments and the provision for the long term liability.



# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2013 with comparative figures for the previous year

2012/13 Estimate \$(000s)	Appropriation	2012/13 Actual \$(000s)	2011/12 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
	(h) Office of the Chief Medical Examiner				
1,348	Salaries	1,134	1,009	125	
2,410	Other Expenditures	2,536	2,531	5	
	(i) Criminal Property Forfeiture				
464	Salaries	417	341	76	
343	Other Expenditures	369	321	48	
	(j) Manitoba Police Commission				
274	Salaries	219	90	129	5
195	Other Expenditures	204	204	0	
	(k) Independent Investigation Unit				
223	Salaries	13	0	13	
596	Other Expenditures	1	1	-	
4,732	(l) Phoenix Sinclair Inquiry	5,464	2,362	3,102	6
<b>166,204</b>	<b>Subtotal 04-2</b>	<b>165,341</b>	<b>155,555</b>	<b>9,786</b>	

5. Manitoba Police Commission – Filling of vacant staff positions was completed in 2012/13.

6. Phoenix Sinclair Inquiry – The Inquiry moved into the hearings phase in 2012/13.

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2013 with comparative figures for the previous year

2012/13 Estimate \$(000s)	Appropriation	2012/13 Actual \$(000s)	2011/12 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-3 Civil Justice</b>					
	(a) Manitoba Human Rights Commission				
1,595	Salaries	1,675	1,503	172	
458	Other Expenditures	475	492	(17)	
	(b) Legislative Counsel				
2,293	Salaries	2,358	2,181	177	
342	Other Expenditures	341	349	(8)	
85	(c) Grant to Manitoba Law Reform Commission	85	85	0	
	(d) Family Law				
1,764	Salaries	1,712	1,670	42	
161	Other Expenditures	178	177	1	
	(e) Constitutional Law				
1,136	Salaries	977	1,051	(74)	
217	Other Expenditures	177	168	9	
	(f) Legal Aid Manitoba				
14,474	Salaries	14,391	13,644	747	7
13,010	Other Expenditures	14,193	13,369	824	7
<b>35,535</b>	<b>Subtotal 04-3</b>	<b>36,562</b>	<b>34,689</b>	<b>1,873</b>	

7. Legal Aid Manitoba – Year-over-year salary increase in staff salaries and legal fees paid to the private bar.

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2013 with comparative figures for the previous year

2012/13 Estimate \$(000s)	Appropriation	2012/13 Actual \$(000s)	2011/12 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-4 Corrections</b>					
	(a) Corporate Services				
2,808	Salaries	2,191	2,117	74	
724	Other Expenditures	800	721	79	
	(b) Adult Corrections				
125,712	Salaries	149,495	130,835	18,660	8
18,773	Other Expenditures	23,516	22,787	729	9
2,886	Programs and External Agencies	3,035	2,688	347	
(5)	Recoveries from Other Appropriations	(4)	(3)	(1)	
	(c) Youth Corrections				
40,888	Salaries	40,673	38,781	1,892	10
4,921	Other Expenditures	4,178	4,135	43	
1,280	Programs and External Agencies	1,300	1,313	(13)	
1,256	(d) Justice Initiatives	1,255	1,289	(34)	
<b>199,243</b>	<b>Subtotal 04-4</b>	<b>226,439</b>	<b>204,663</b>	<b>21,776</b>	

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8. Adult Corrections – Salaries – Variance is primarily due to increased staffing costs related to the high inmate population and facility expansions.
9. Adult Corrections – Operating – Variance is due to an increase in transportation, food, clothing, equipment and supplies related to high inmate population and facility expansions.
10. Youth Corrections – Salaries – Variance relates to salary increase and additional staffing at youth correctional facilities.

# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2013 with comparative figures for the previous year

2012/13 Estimate \$(000s)	Appropriation	2012/13 Actual \$(000s)	2011/12 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
<b>04-5 Courts</b>					
	(a) Court Services				
5,213	Salaries	4,957	4,680	277	
2,877	Other Expenditures	3,105	2,355	750	11
(409)	Less: Recoverable from Part B - Capital	(200)	(357)	157	
	(b) Winnipeg Courts				
8,064	Salaries	7,989	7,472	517	
1,285	Other Expenditures	1,317	1,385	(68)	
	(c) Regional Courts				
4,611	Salaries	4,686	4,398	288	
2,268	Other Expenditures	2,289	2,329	(40)	
	(d) Judicial Services				
21,874	Salaries	21,995	17,710	4,285	12
2,442	Other Expenditures	2,723	2,280	443	12
	(e) Sheriff Services				
7,796	Salaries	9,164	8,408	756	13
2,065	Other Expenditures	3,036	3,169	(133)	
16	(f) Justice Initiatives	16	0	16	
<b>58,102</b>	<b>Subtotal 04-5</b>	<b>61,077</b>	<b>53,829</b>	<b>7,248</b>	
<b>3,707</b>	<b>04-6 Costs Related To Capital Assets</b>	<b>3,374</b>	<b>3,169</b>	<b>205</b>	
<b>467,633</b>	<b>TOTAL EXPENDITURES</b>	<b>497,018</b>	<b>456,159</b>	<b>40,859</b>	

11. Court Services – Increased operating costs associated with the new Manitoba Maintenance Management Program (M<sup>3</sup>P) and a year-over-year increase in legal and on-line payment fees.
12. Judicial Services – Salaries & Operating – Year-over-year increase in salary and retirement payments and court awarded costs related to judicial compensation.
13. Sheriff Services – Year-over-year increase in salary and retirement payments.



# Manitoba Justice

## Expenditure Summary

for the fiscal year ended March 31, 2013 with comparative figures for the previous year

2012/13 Estimate \$(000s)	Appropriation	2012/13 Actual \$(000s)	2011/12 Actual \$(000s)	Increase (Decrease) \$(000s)	Variance Expl. No.
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### Department Summary 04 by Main Appropriation

4,842	(1)	Administration, Finance & Justice Innovation	4,225	4,254	(29)
166,204	(2)	Criminal Justice	165,341	155,555	9,786
35,535	(3)	Civil Justice	36,562	34,689	1,873
199,243	(4)	Corrections	226,439	204,663	21,776
58,102	(5)	Courts	61,077	53,829	7,248
3,707	(6)	Costs Related To Capital Assets	3,374	3,169	205
<b>467,633</b>		<b>Total</b>	<b>497,018</b>	<b>456,159</b>	<b>40,859</b>

# Manitoba Justice

## Revenue Summary

for the fiscal year ended March 31, 2013 with comparative figures for the previous year

Actual 2011/12	Actual 2012/13	Increase (Decrease)	Source	Actual 2012/13	Estimate 2012/13	Variance	Explanation Number
<b>GOVERNMENT OF CANADA</b>							
436	434	(2)	Aboriginal Court Worker Program	434	435	(1)	
579	603	24	Child Centered Family Justice Fund	603	586	17	
4,761	4,909	148	Legal Aid Agreement	4,909	4,760	149	
1,452	1,647	195	Special Projects	1,647	1,055	592	1
6,432	6,433	1	Youth Justice Services and Programs Agreement	6,433	6,433	-	
<b>13,660</b>	<b>14,026</b>	<b>366</b>	<b>Sub-Total</b>	<b>14,026</b>	<b>13,269</b>	<b>757</b>	
<b>OTHER REVENUE</b>							
480	491	11	Cost Recovery from City of Winnipeg (Remand Centre)	491	486	5	
2,651	2,617	(34)	Cost Recovery from Municipalities	2,617	2,820	(203)	
5,310	5,398	88	Cost Recovery from Victims' Assistance Fund	5,398	5,543	(145)	
326	170	(156)	Escheats to the Crown	170	50	120	2
30,579	31,492	913	Fines and Costs	31,492	34,256	(2,764)	3
8,836	9,354	518	Law Fees	9,354	8,383	971	4
4,000	4,323	323	Sundry	4,323	5,720	(1,397)	5
<b>52,182</b>	<b>53,845</b>	<b>1,663</b>	<b>Sub-Total</b>	<b>53,845</b>	<b>57,258</b>	<b>(3,413)</b>	
<b>65,842</b>	<b>67,871</b>	<b>2,029</b>	<b>TOTAL DEPARTMENTAL REVENUE</b>	<b>67,871</b>	<b>70,527</b>	<b>(2,656)</b>	

### Explanation Number:

- Special Projects - \$592 Over Estimate and \$195 Over 2011/2012 Actual**  
Increase in case load and special projects relating to the Intensive Rehabilitative Custody Supervision Program
- Escheats to the Crown - \$120 Over Estimate and \$156 Under 2011/2012 Actual**  
Write-off of unclaimed estates held by The Public Trustee varies from year to year
- Fines and Costs - \$2,764 Under Estimate and \$913 Over 2011/12 Actual**  
Decrease in the volume of photo enforcement tickets issued
- Law Fees - \$971 Over Estimate and \$518 Over 2011/12 Actual**  
Increase in the value of probated estates upon which the fee is assessed
- Sundry - \$1,397 Under Estimate and \$323 Over 2011/2012 Actual**  
Primarily a decrease in federal per diems for the new Women's Correctional Centre in 2012/13 as a result of extended negotiations with the federal government offset by an increase in unclaimed bail and forfeiture funds escheated to the crown

# Manitoba Justice

## Historical Information

### Five Year Expenditure and Staffing Summary by Appropriation \$(000's)

For Years Ending March 31, 2009 to March 31, 2013

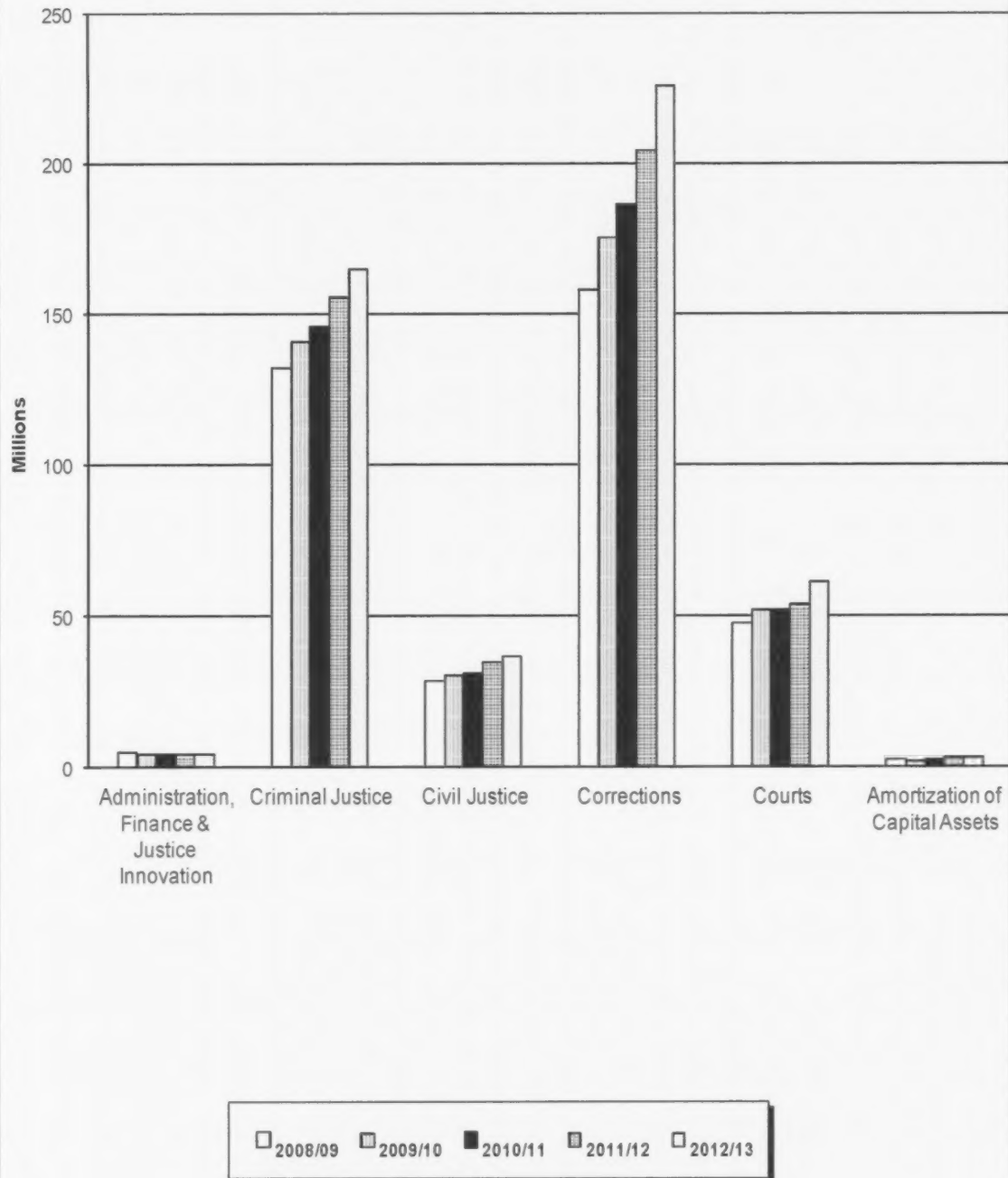
APPROPRIATION	Actual/*Adjusted Expenditures									
	2008/09		2009/10		2010/11		2011/12		2012/13	
	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)	FTE	\$(000's)
04-1 Admin., Finance & Justice Innovation	48.00	4,685	47.32	4,698	47.32	4,373	47.32	4,254	47.32	4,225
04-2 Criminal Justice	294.30	132,194	296.30	141,051	337.80	145,468	356.80	155,555	377.80	165,341
04-3 Civil Justice	67.00	28,242	67.00	30,595	68.00	31,045	68.00	34,689	68.00	36,562
04-4 Corrections	1,501.64	158,271	1,629.16	175,452	1,713.12	186,768	1,909.67	204,663	2,032.17	226,439
04-5 Courts	471.80	47,669	478.80	52,001	486.80	51,844	493.22	53,829	508.72	61,077
04-6 Costs Related To Capital Assets		2,127		2,038		2,546		3,169		3,374
<b>Total</b>	<b>2,382.74</b>	<b>373,188</b>	<b>2,518.58</b>	<b>405,835</b>	<b>2,653.04</b>	<b>422,044</b>	<b>2,875.01</b>	<b>456,159</b>	<b>3,034.01</b>	<b>497,018</b>

Note: The position count for Civil Justice excludes Legal Aid Manitoba positions due to their Crown corporation status.

Note: Actual expenditures for 2008/2009 and thereafter reflect the inclusion of the full annual cost of employee pension liability.

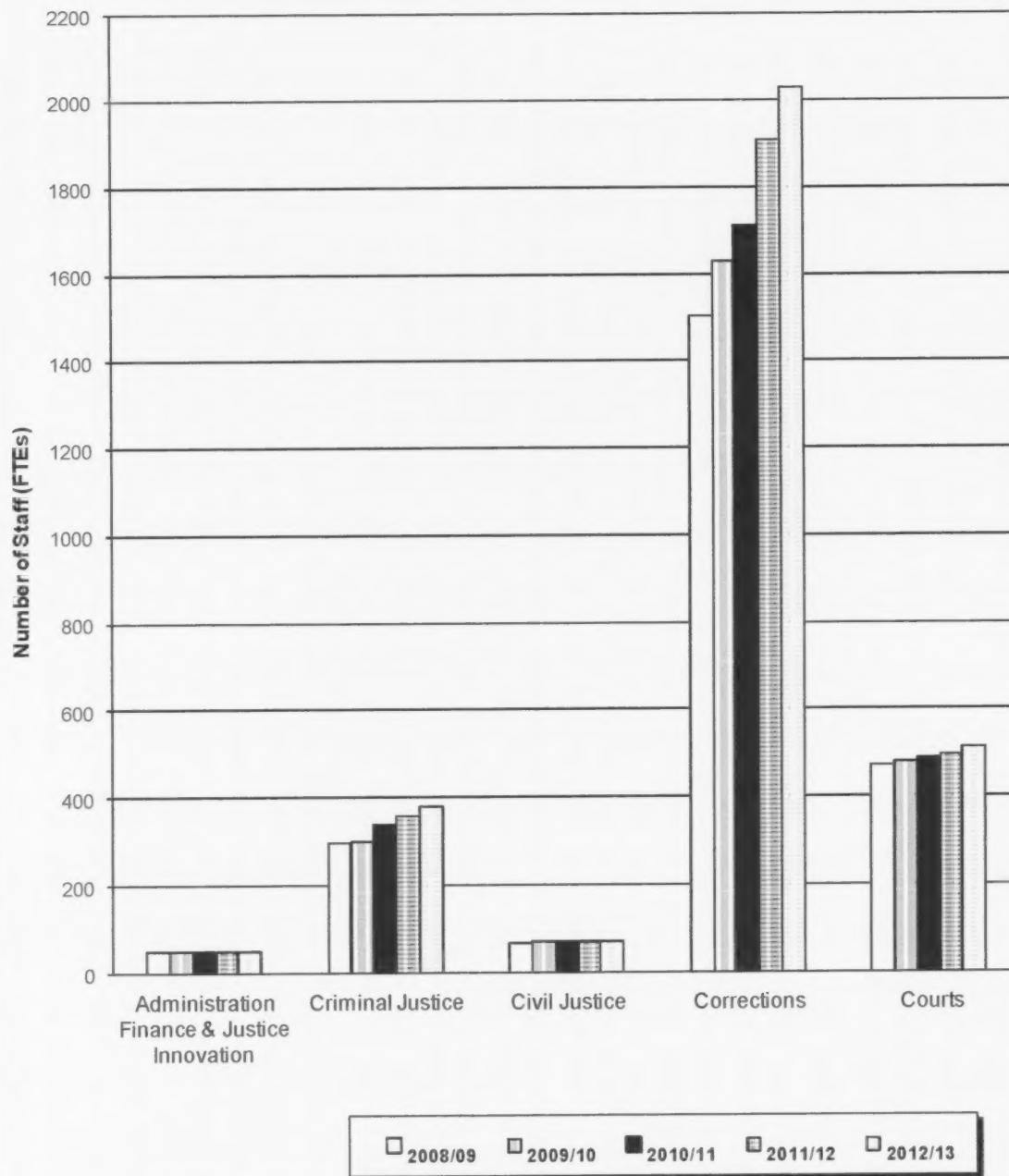
Note: All years reflect the reorganization of non-core youth community justice programming from Corrections to Children and Youth Opportunities department.

# **Manitoba Justice** **Five Year Expenditure History** **by Appropriation Structure**



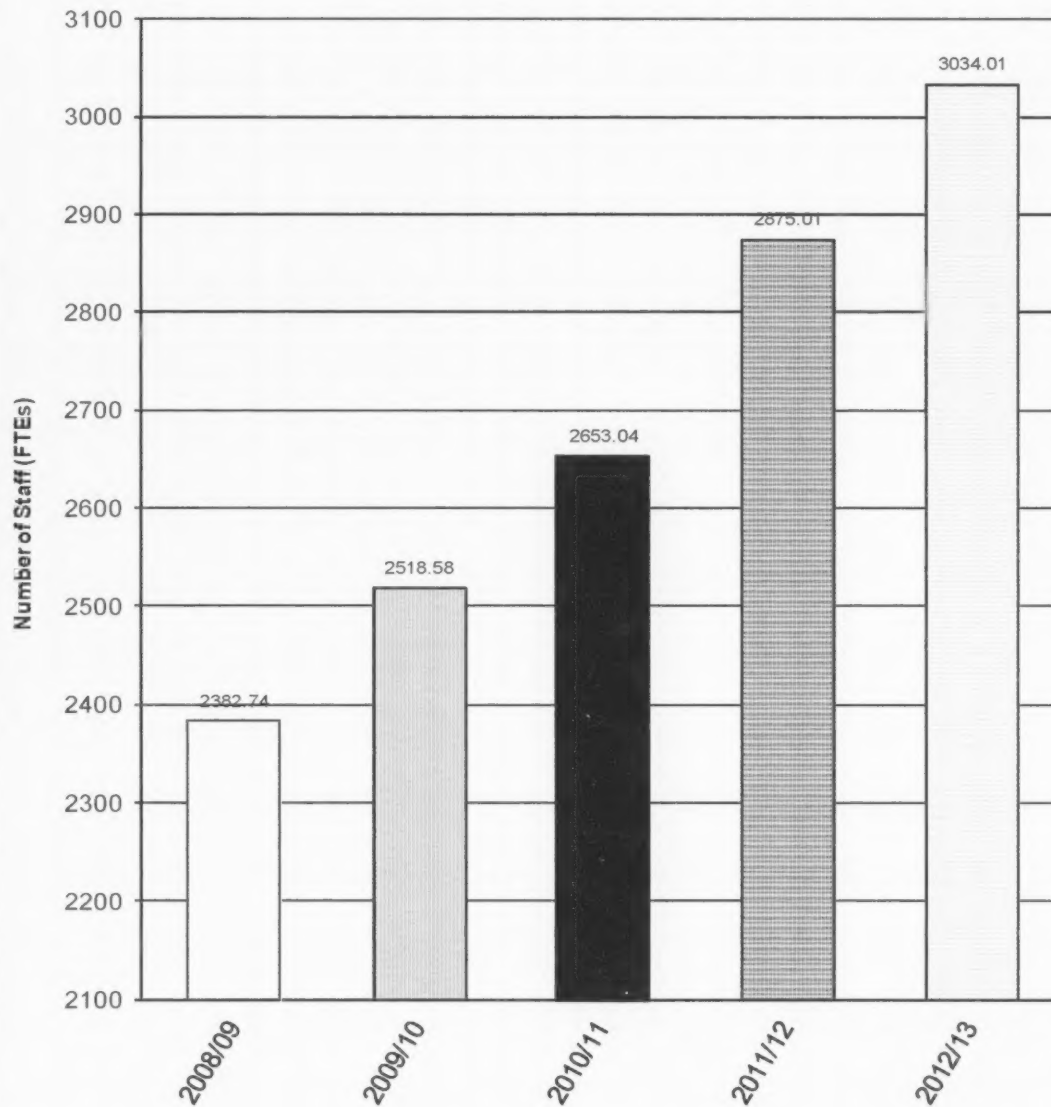
# Manitoba Justice

## Five Year Staffing History by Operating Divisions





**Manitoba Justice**  
**Five Year Staffing History**  
**(Total Department)**



## Performance Reporting

The following section provides information on key performance measures for the department for the 2012/2013 reporting year. This is the seventh year in which all Government of Manitoba departments have included a performance measurement section, in a standardized format, in their annual reports.

Performance indicators in departmental annual reports are intended to complement financial results and provide Manitobans with meaningful and useful information about government activities, and their impact on the province and its citizens.

For more information on performance reporting and the Manitoba government, visit [www.manitoba.ca/performance](http://www.manitoba.ca/performance).

Your comments on performance measures are valuable to us. You can send comments or questions to [mbperformance@gov.mb.ca](mailto:mbperformance@gov.mb.ca).

### Notes on Justice Performance Measure Information

The law and the justice system are important to Manitobans because they provide order in society, a peaceful way to settle disputes, and a means of expressing the values and beliefs of our province and country. The justice system deals with a broad range of criminal, constitutional and administrative laws. It also provides processes to resolve private disputes peacefully and fairly in matters such as contracts, property ownership, family rights and obligations, and damages to property.

One of the most unique, and arguably challenging, features within the justice system is the number of independent, but interdependent participants in the criminal justice continuum with defined legal responsibilities: police, prosecutors, defence lawyers (including legal aid counsel), members of the judiciary in three levels of court and corrections officials. Each participant has distinct roles and responsibilities, and many are at odds with one another, yet for the system to be effective the stakeholders must understand, accept, and respect each others' roles and responsibilities. Manitoba Justice, as a provincial government department, has a variety of roles to play in supporting the overall system through its stated vision of *"a safe, just and peaceful society supported by a justice system that is fair, trusted, effective and understood."*

Despite the importance of the justice system in supporting the social well-being of Manitobans, it is very difficult to adequately measure its effectiveness because of the complexity of our laws, the number of independent stakeholders in the system, the need for fairness and due process, and the extremely wide variety of individual matters that the system must handle.

Developing valid and reliable performance indicators will continue to pose a challenge for the department as we look into the future. Despite these significant challenges, Manitoba Justice has committed to embarking on a performance measures initiative. The measures that the department has developed thus far are described in the table below. The Department of Justice is continuing to review and develop its performance measures.

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(1) Safer communities, by measuring the number of police officers per capita in Manitoba as compared to other provinces.	<p>Strong and effective policing enhances safety in Manitoba communities.</p> <p>Manitoba Justice directly funds the RCMP provincial police services and the Manitoba government provides grants to support major municipal police forces.</p>	<p>This measure compares Manitoba to other provinces on an ongoing basis.</p> <p>Manitoba was second highest among the provinces in 2000, with 187 police officers per 100,000 population.</p>	<p>In the 2012 calendar year, Manitoba had the highest number of police officers per capita of any province in Canada with 214 per 100,000 population.</p> <p>See Figure 1, page 62.</p>	<p>Manitoba had the second or third highest among the provinces in recent years and moved into first place in 2012.</p> <p>The actual per 100,000 population number has increased from 187 to 214 since 2000.</p>	<p>Policing has been strengthened throughout the province with funding for a significant number of additional police officers to serve Winnipeg, Brandon, rural and northern Manitoba.</p>
(2) Safer communities, by measuring the number of operations in problem properties (including drug, sniff and prostitution houses) closed by the Public Safety Investigations Unit (PSIU).	<p>Manitoba enacted <i>The Safer Communities and Neighbourhoods Act</i> and <i>The Fortified Buildings Act</i> to target properties that continually and habitually present problems of public safety.</p> <p>These problem properties include fortified buildings, places where drugs are sold or used, alcohol is sold without a licence, sniff is made available, prostitution and related activities are taking place, children are being sexually abused or exploited, or unlawful firearms, weapons or explosives are being stored.</p>	<p><i>The Safer Communities and Neighbourhoods Act</i> came into force on February 19, 2002.</p> <p>Thirty-six operations were closed in 2003, the first full year of operations for the PSIU.</p>	<p>In the 2012 calendar year, 82 operations in problem properties were closed in Manitoba.</p> <p>See Figure 2, p. 62.</p>	<p>The number of operations closed has been increasing over the past five years.</p> <p>From the 2002 establishment of the PSIU through to the end of the 2011 calendar year, over 600 operations in problem properties have been closed in Manitoba.</p> <p>See Figure 2, page 62.</p>	<p>Manitoba's <i>Safer Communities and Neighbourhoods Act</i> has established a national precedent in reclaiming the safety and security of neighbourhoods plagued by drugs, prostitution and solvent abuse.</p> <p>A number of Canadian jurisdictions have developed similar legislation based on Manitoba's example.</p>

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(3) Aboriginal justice, by measuring the percentage of Aboriginal people served by First Nations policing programs.	Making justice processes more respectful of Aboriginal cultures and values is an ongoing goal of Manitoba Justice.  First Nations policing programs provide First Nations communities with more input into the policing services that they receive.	The federal First Nations Policing Policy (FNPP) was established in 1991.	An estimated 30 per cent <sup>9</sup> of Manitoba's First Nations communities were receiving funding under the FNPP for the 2012 calendar year.	Since the First Nations Policing Policy (FNPP) was created in 1991, the percentage of Aboriginal people served by First Nations policing programs has been increasing.  Estimated percentages only, however, are available at this time.	During 2011/2012 the RCMP under the First Nations Community Policing Service (FNCPS) policed ten First Nations communities.  The Dakota Ojibway Police Service – a standalone First Nations police service – was policing 5 First Nations in Manitoba in 2011.  Future expansion of First Nations policing in Manitoba is contingent on renewed availability of federal funding.
(4) Offender accountability and safer communities, by measuring the Manitoba adult incarceration rate as compared to other provinces.	Manitoba is taking an aggressive stand on violent and gang-related crimes by continuing to oppose bail for those crimes as well as advocating for longer periods of incarceration.	This measure compares Manitoba to other provinces on an ongoing basis.  Manitoba's adult incarceration rate for 2011/2012 was higher than the national average (90 per 100,000 adults) and increased 10% from the previous year.	Manitoba's 2011/2012 adult incarceration rate was the highest of all Canadian provinces with 234 inmates in custody per 100,000 adult population.  See Figure 3, page 63.	Manitoba has had the highest or second highest rate among the provinces in the past five years.	In order to manage increasing offender populations, the government has committed to expanding available bed-space in provincial correctional facilities.  Construction was completed on the expansion of Milner Ridge Correctional Centre. In addition, construction was completed that both expanded bed capacity and introduced two new rehabilitative models at Headingley Correctional Centre.
(5) Offender accountability and safer communities, by measuring the Manitoba youth incarceration rate as compared to other provinces.	Manitoba is committed to strengthening sanctions for serious youth crime, particularly crimes of violence.	This measure compares Manitoba to other provinces on an ongoing basis.  Manitoba's youth incarceration rate for 2011/2012 was higher than the national average of 7 young persons in custody per 10,000 population of youth aged 12-17 years.	Manitoba's 2011/2012 youth incarceration rate was the highest of all Canadian provinces with 29 young persons in custody per 10,000 youth population.  See Figure 4, page 63.	Manitoba has maintained the first or second highest rate among the provinces in the past five years).	The Minister of Justice continues to advocate for national action to deal more effectively with young offenders.

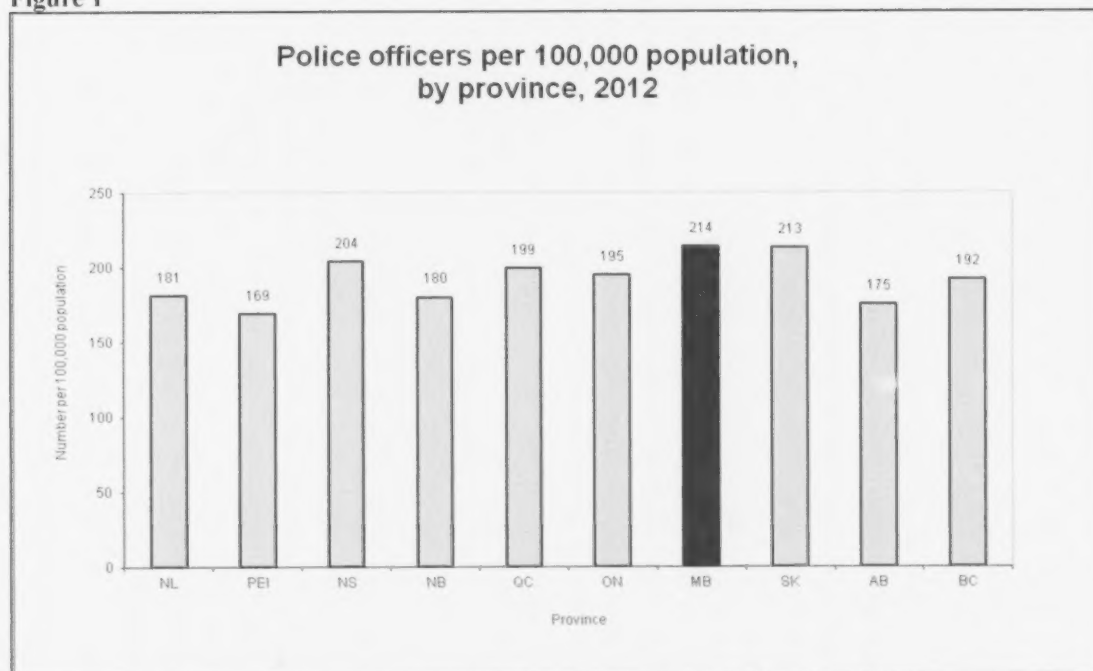
<sup>9</sup> Manitoba Justice is working with the federal government's RCMP Aboriginal Policing Directorate to refine the methodology for calculating annual percentages.

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(6) Maintaining the integrity of the justice system, particularly access to justice, by measuring the average time from first appearance to disposition in Provincial Court. <sup>10</sup>	<p>A core element of the department's mission is to provide mechanisms for timely and peaceful resolution of civil and criminal matters.</p> <p>Time to disposition is a measure of the justice system's capacity to resolve matters in a reasonable amount of time.</p> <p>This indicator measures the average amount of time it takes to dispose of a criminal charge, not including charges where a warrant for arrest was issued by the court.</p>	<p>2006/2007 marked the first year that data became available for this indicator.</p> <p>Courts Division continues to refine the methodology for this indicator.</p>	<p>For 2012/2013 the average time to disposition was 195 days.</p> <p>See Figure 5, page 64.</p>	<p>Due to changes in methodology, comparisons can only be made back to 2010/2011. In that year the average time to disposition was 187 days.</p>	<p>Process reviews, improved procedures and information technology are being employed to address the growing volume and legal complexity of cases in the justice system.</p>

<sup>10</sup> More detailed information on this indicator is provided in the *Annual Report of the Provincial Court of Manitoba* - available on the Provincial Court of Manitoba's website at [http://www.manitobacourts.mb.ca/pr/provincial\\_court.html](http://www.manitobacourts.mb.ca/pr/provincial_court.html).

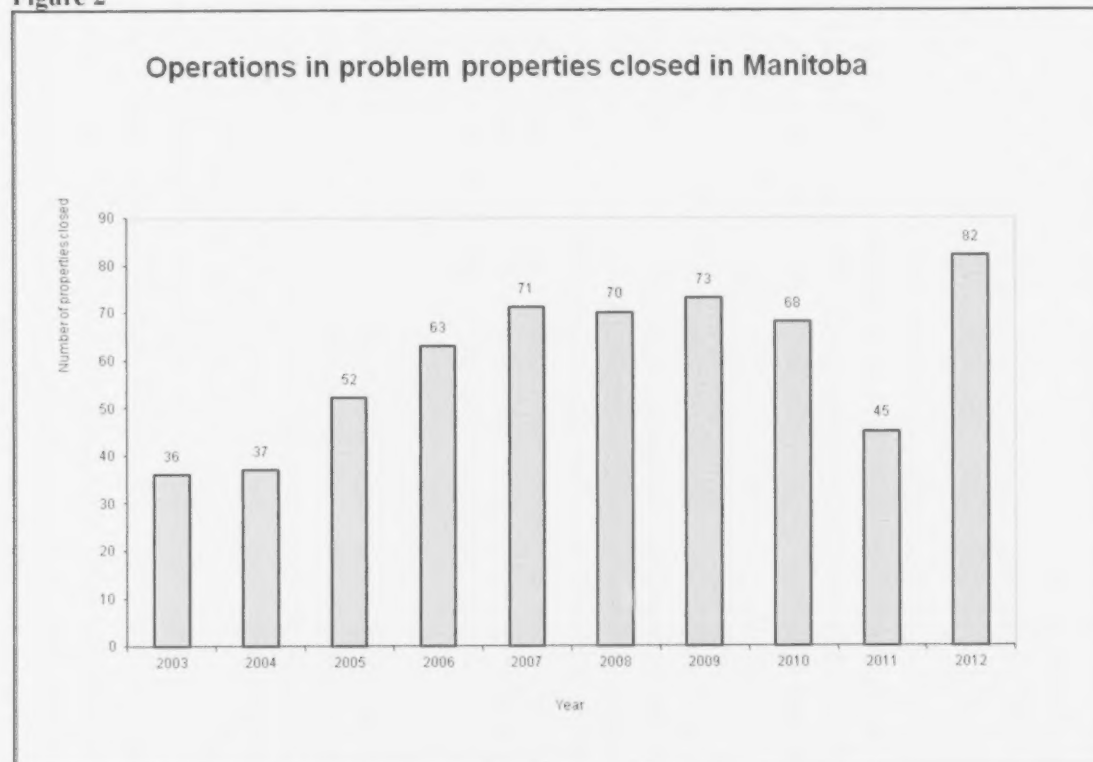


**Figure 1**



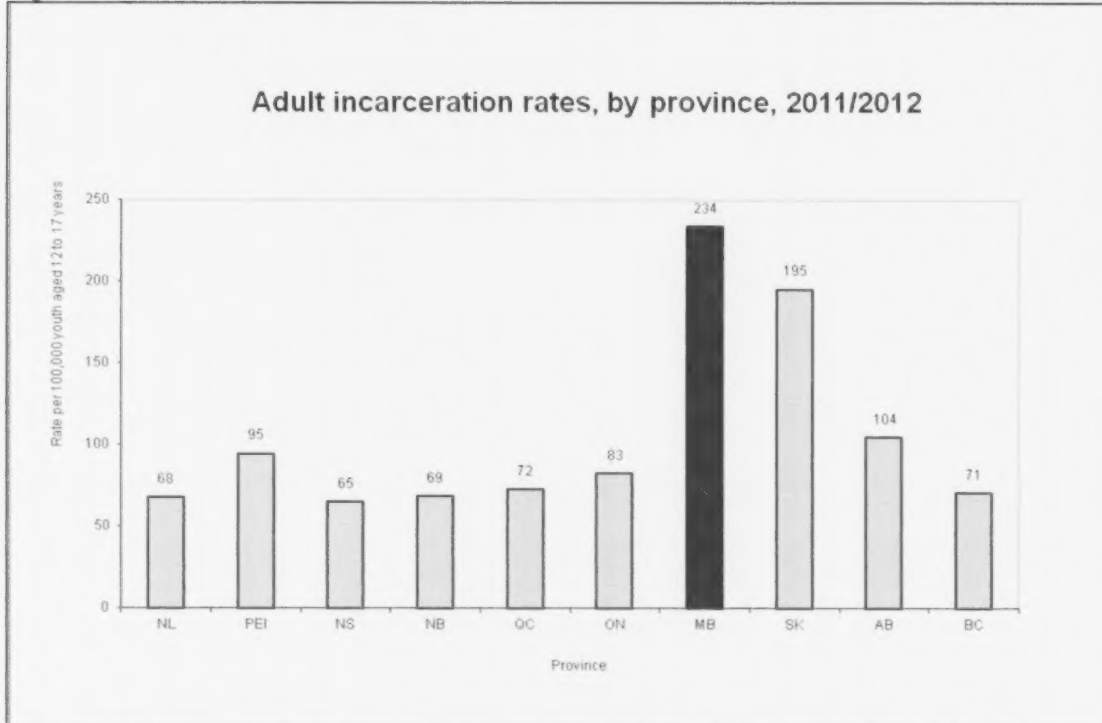
Source: Police Administration Survey, Canadian Centre for Justice Statistics, Statistics Canada

**Figure 2**



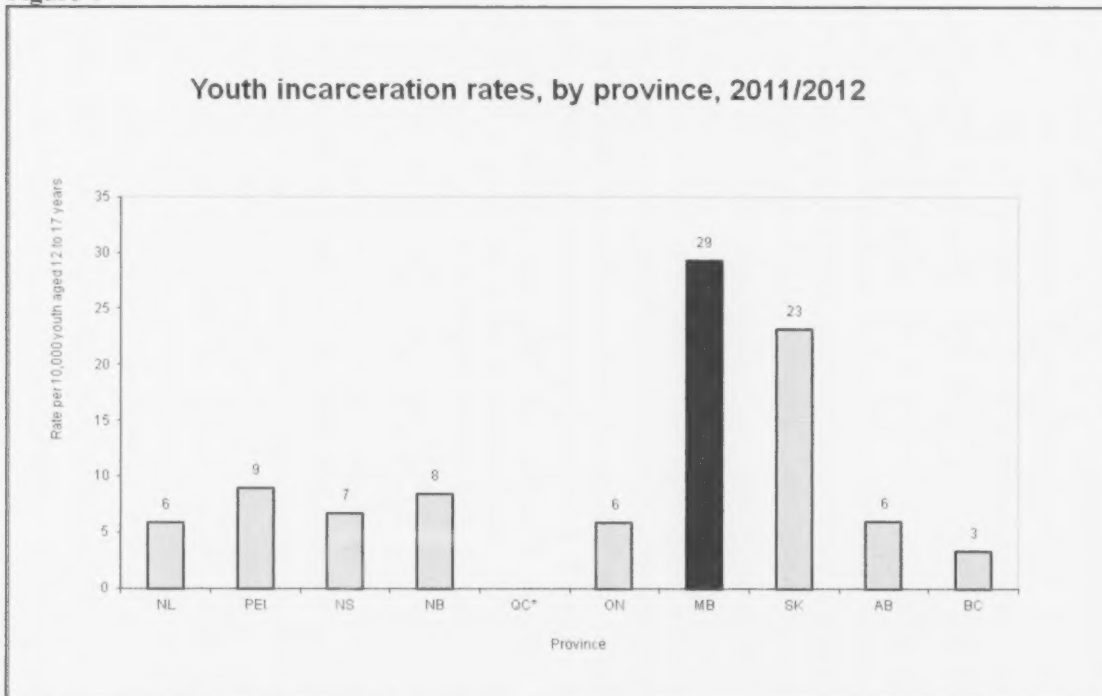
Source: Manitoba Justice Public Safety Investigations Unit

**Figure 3**



Source: Corrections Key Indicators Report, Canadian Centre for Justice Statistics, Statistics Canada

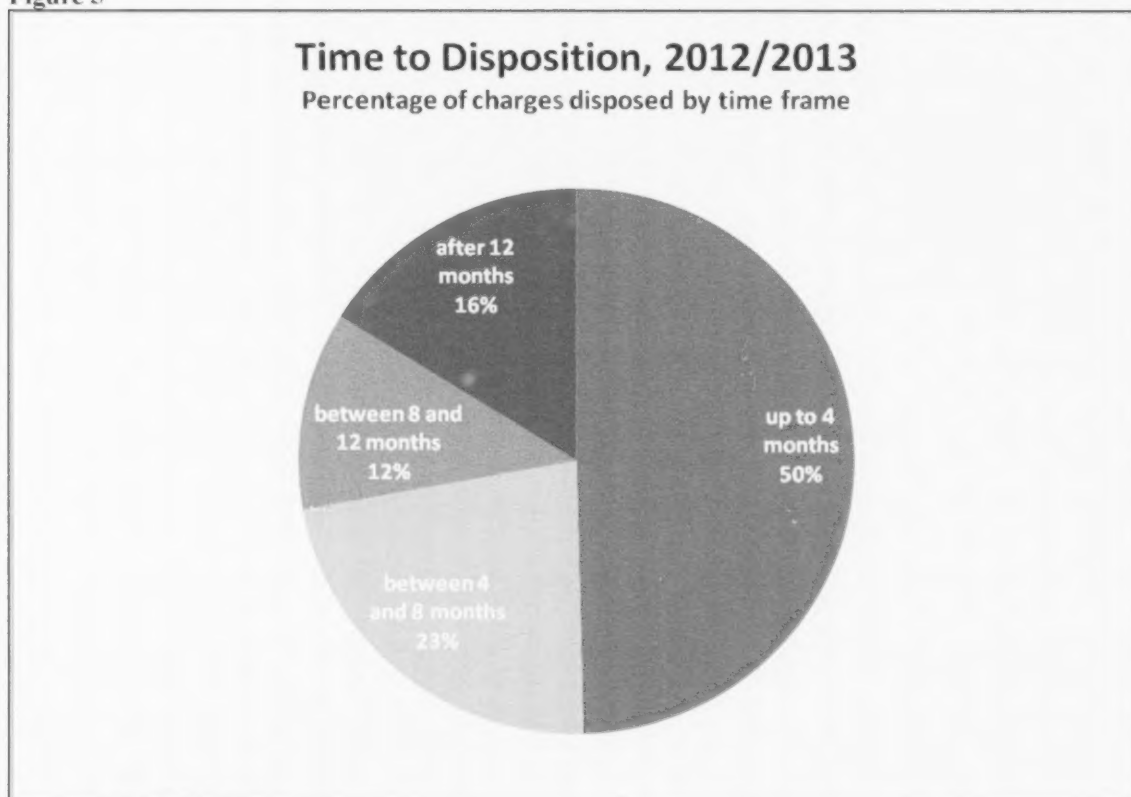
**Figure 4**



\*Data not available for the province of Quebec

Source: Corrections Key Indicators Report, Canadian Centre for Justice Statistics, Statistics Canada

Figure 5



Source: Manitoba Courts

## The Public Interest Disclosure (Whistleblower Protection) Act

The *Public Interest Disclosure (Whistleblower Protection) Act* came into effect in April 2007. This law gives employees a clear process for disclosing concerns about significant and serious matters (wrongdoing) in the Manitoba public service, and strengthens protection from reprisal. The act builds on protections already in place under other statutes, as well as collective bargaining rights, policies, practices and processes in the Manitoba public service.

Wrongdoing under the act may be: contravention of federal or provincial legislation; an act or omission that endangers public safety, public health or the environment; gross mismanagement; or, knowingly directing or counseling a person to commit a wrongdoing. The act is not intended to deal with routine operational or administrative matters.

A disclosure made by an employee in good faith, in accordance with the act, and with a reasonable belief that wrongdoing has been or is about to be committed is considered to be a disclosure under the act, whether or not the subject matter constitutes wrongdoing. All disclosures receive careful and thorough review to determine if action is required under the act, and must be reported in a department's annual report in accordance with Section 18 of the act.

The following is a summary of disclosures received by Manitoba Justice, The Public Trustee, Civil Legal Services, and Legal Aid Manitoba for fiscal year 2012/2013:

<b>Information Required Annually (per Section 18 of the act)</b>	<b>Fiscal Year 2012/2013</b>
The number of disclosures received, and the number acted on and not acted on. <i>Subsection 18(2)(a)</i>	NIL
The number of investigations commenced as a result of a disclosure. <i>Subsection 18(2)(b)</i>	NIL
In the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations or corrective actions taken in relation to the wrongdoing, or the reasons why no corrective action was taken. <i>Subsection 18(2)(c)</i>	NIL

## Capital Investment

Capital investment in Manitoba Justice provides development costs to implement information technology systems and acquire equipment. Capital investment authority is contained in Part B of the annual *Estimates of Expenditure*.

In 2012/2013, Manitoba Justice had capital expenditures for equipment acquisitions (\$1,452), the co-operative justice system (\$425) and the Manitoba Maintenance (Enforcement) Management Project, or M<sup>3</sup>P (\$517). This is a continuation of previous equipment and systems acquisition practices except that a budget and actual expenditures are now provided under the estimates of capital investment rather than operating appropriations.

### Reconciliation Statement of Printed Vote

DETAILS	2012/13 ESTIMATES \$(000s)
2012/13 MAIN ESTIMATES	\$2,266
MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:	
- Capital Assets – Internal Service Adjustments	593
2012/13 ESTIMATE	\$2,859

### Capital Investment

Actual 2012/13 \$(000s)	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.	Actual 2011/12 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
2,394	2,859	(465)	1	3,993	(1,599)	2

#### Explanations:

1. Deferral/cancellation of projects in correctional centres as the projects could not be started/completed in the fiscal year
2. Variance is primarily due to lower expenditures for the Manitoba Maintenance Management Project (M<sup>3</sup>P) in 2012/13 as the project neared completion



## Justice Initiatives Fund

The \$2.25 million Justice Initiatives Fund (JIF) supports development of initiatives to prevent crime and to improve the justice system in Manitoba. Funding is allocated from the Enabling Appropriation (26-3). Actual expenditures for 2012/13 are recorded in Justice (Corrections and Courts) and Children and Youth Opportunities (Crime Prevention) on the basis of administrative responsibility outlined below.

The following criteria have been established to help evaluate Justice Initiatives Fund proposals:

- Does the initiative have the potential to enhance public safety by deterring or preventing crime?
- Does the initiative have the potential to enhance public safety by improving the effectiveness and efficiency of the criminal justice system's treatment of offenders and their victims?
- Does the initiative address Aboriginal justice issues?
- Will the initiative build on existing community organizations or mechanisms, and will it be responsive to community input and direction?
- Does the initiative respond to the recommendations of a public inquiry or external review of the department's operations?
- Does the initiative have the potential to improve the effectiveness or enhance the efficiency of Manitoba Justice's non-criminal service areas?
- Will the initiative be cost-shared with other levels of government, community organizations, and/or private sector partners?
- Can the initiative be maintained in the long run without significantly increasing government expenditures?

### 2012/2013 Justice Initiatives Projects and Allocations

#### Justice Programs: \$(000s)

**Aboriginal Justice Strategy** – This project supports the expansion of the First Nations Community Justice Worker Program within Manitoba Keewatinowi Okimakanak (MKO) communities and the development of similar programs in Manitoba Métis Federation (MMF) and Southern Chiefs' Organization (SCO) communities. The MKO First Nations Justice Strategy (FNJS) that provides the template for expansion offers restorative justice approaches in MKO First Nation communities through a Cree Magistrates Court, and the diversion of appropriate offences to community justice committees. 2012/2013 funding: \$600

**Canadian Association of Provincial Court Judges** – Annual conference and Chief Judge's meeting to be hosted by Manitoba in 2014. 2012/13 funding: \$16 with further funding of \$19 in 2013/14

**Electronic Monitoring** – This pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg. 2012/2013 funding: \$79

**New Directions for Children, Youth, Adults and Families Agency** – This funding supports the ongoing operation of the Transition, Education and Resources for Females (TERF) program, aimed at developing healthy lifestyles for young women, adult women and transgendered individuals who have been exploited through prostitution. 2012/2013 funding: \$177

**Onashowewin** – This community-based Aboriginal justice program provides community justice alternatives to both adult and young offenders in Winnipeg. 2012/2013 funding: \$250

**Safety Aid Crime Prevention for Older Manitobans** – The SafetyAid program, a crime prevention program for older Manitobans, was first launched in 2003. This two-part senior home security program, funded jointly by Justice and Healthy Living, helps prevent break and enters and home invasions. The program consists of a SafetyAid team and SafetyAid forgivable loans through the Home Adaptation for Seniors Independence (HASI) program. 2012/2013 funding: \$150

## Children and Youth Opportunities Programs: \$(000s)

**Crime Prevention** – The Crime Prevention Fund provides financial support to various crime prevention groups and projects to aid in making Manitoba's communities safer places to live. It also funds an annual symposium. 2012/2013 funding: \$60

**Lighthouses** – This program stimulates the development of partnerships that support recreational, educational and social programs for young Manitobans. Lighthouses makes use of schools, recreation centres and other community facilities outside school hours for sports, arts, music and other activities organized by and for local youth. The province funded 38 Lighthouse sites in Winnipeg and 33 sites in rural Manitoba in 2011/2012. Annual funding for each site is \$12. 2012/2013 funding: \$852

**Safe Schools Manitoba** – Safe Schools Manitoba is a partnership initiative of organizations committed to working together to enhance the safety of Manitoba's schools and communities. The partners include Manitoba Education, Manitoba Children and Youth Opportunities, professional associations, schools, law enforcement, social service agencies, youth, parents and community agencies. 2012/2013 funding: \$66

### Justice Initiatives Fund

Allocated 2012/13 \$(000s)	Estimate 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.	Allocated 2011/12 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
2,250	2,250	-		2,219	31	1

#### Explanation:

1. Allocations vary from year to year depending on the projects approved in the Estimates

Expenditures by Department	Actual 2012/13 \$(000s)	Allocation 2012/13 \$(000s)	Variance Over (Under) \$(000s)	Expl. No.
<b>Justice</b>				
• Aboriginal Justice Strategy	600	600		
• Canadian Association of Provincial Court Judges Conference – Manitoba Hosted	16	16		
• Electronic Monitoring	78	79	(1)	
• New Directions for Children, Youth and Families Agency	177	177		
• Onashowewin	250	250		
• Safety Aid Crime Prevention for Older Manitobans	150	150		
<b>Children and Youth Opportunities</b>				
• Crime Prevention	59	60	(1)	
• Lighthouses	827	852	(25)	
• Safe Schools Manitoba	66	66		
<b>Total</b>	<b>2,223</b>	<b>2,250</b>	<b>(27)</b>	

### Five Year Funding Allocation Summary

2008/09 \$(000s)	2009/10 \$(000s)	2010/11 \$(000s)	2011/12 \$(000s)	2012/13 \$(000s)
2,031	2,168	2,228	2,219	2,250

# Sustainable Development

Section 12 (1) of *The Sustainable Development Act* requires each provincial government department to include information in its annual report about the progress made incorporating sustainable development into its activities. This section of the annual report is intended to identify the department's sustainability in relation to the principles and guidelines of the act, as well as the provincial government's sustainable development procurement goals and guidelines.

## Principles and Guidelines

*The Sustainable Development Act* identifies seven principles and six guidelines to determine the sustainability of an activity. The seven principles of sustainable development are: integration of environmental and economic decisions, stewardship, shared responsibility and understanding, prevention, conservation and enhancement, rehabilitation and reclamation, and global responsibility. The six guidelines of sustainable development are: efficient uses of resources, public participation, access to information, integrated decision making and planning, waste minimization and substitution, and research and innovation.

The department's vision of a safe, just and peaceful society has a connection with the sustainable development principles in that both are committed to building safe, secure and healthy communities. Here are a few examples of how Manitoba Justice incorporated sustainable development principles and guidelines into its activities for the 2012/2013 fiscal year.

### Prevention

The principle of prevention illustrates actions taken to foster an anticipatory and precautionary approach to decision making with the goal of identifying possible adverse effects on the economy, environment, health or society in advance and preventing or mitigating effects that pose as a threat.

Ongoing Justice programs such as the Criminal Property Forfeiture Unit, the Public Safety Investigative Unit and Corrections Spotlight initiative are some examples of how our department has regularly provided sustainable crime prevention initiatives with the goal of creating safer communities for Manitobans. Highlights that furthered the principle of prevention to enhance public safety in 2012/2013 are outlined below:

- The department collaborated with the Winnipeg Regional Health Authority to establish a problem solving mental-health court that focuses on adults with mental health issues who are accused of less serious crimes with the goal of addressing the underlying causes of their criminal behaviour and breaking the cycle of committing crimes.
- The department introduced legislation to prohibit the use of animals to protect property where unlawful activity is occurring.
- The department introduced legislation that would prohibit the use of traps on property that could injure or kill a person, and would further permit authorities to inspect and seize such traps if there are reasonable grounds for suspecting such traps exist.
- The Policy Development & Analysis Branch led the development of and assisted in the implementation of amendments to *The Highway Traffic Act* to extend mandatory use of an ignition interlock device requirement to all who are convicted of impaired driving, including first time offenders.
- Profits obtained through successful seizures of property under *The Criminal Property Forfeiture Act* were reinvested to support crime prevention activities, law enforcement agencies, victim services and compensation for victims of crime.
- The department proposed amendments to *The Correctional Services Act* that would help protect victims and witnesses from being harassed or threatened by incarcerated inmates.
- Amendments to *The Human Rights Code* were made to prohibit discrimination based on gender identity for the protection of transgender individuals, and socially disadvantaged individuals to protect those who are, or are perceived to be undereducated, underemployed, homeless or living in inadequate housing.

### Shared Responsibility and Understanding

Shared responsibility and understanding is a principle that illustrates actions taken to foster a partnership approach to decision making and program delivery. Actions are taken to engage, involve and reflect the interests of various Manitoba communities and groups in departmental decisions and actions.

The department's various Aboriginal justice programs and initiatives exemplify how the department regularly incorporates the principle of shared responsibility and understanding into its ongoing program activities with other levels of government, First Nations communities, non-profit organizations, and Crown corporations. Some examples include:

- The department had community participation agreements with 13 First Nations communities for the delivery of community correctional services.
- Fourteen of 63 First Nations communities had community tripartite agreements for police services. Of the 14, the department maintained its federal-provincial agreement with the Dakota Ojibway Police Service to provide Aboriginal police services to five First Nations communities and also supported the RCMP for the First Nations Community Policing Service (FNCPS) in nine First Nations communities.
- Through agreements with the Manitoba Keewatinow Okimakanak (MKO), Southern Chiefs Organization, Fisher River First Nation, Hollow Water First Nation, the MMF and St. Theresa Point First Nation, the department has enabled communities to establish community justice workers to work with their respective First Nations for the purposes of using traditional healing to bring offenders and the community to peaceful solutions, as well as liaise with the police and the Crown to foster understanding of community issues, and provide the judiciary with options for culturally appropriate dispositions.

### Global Responsibility

Global responsibility is a principle that is defined as thinking globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working co-operatively, within Canada and internationally, to integrate economic, environmental, human health and social factors in decision making while developing comprehensive and equitable solutions to problems. Some examples for the 2012/2013 fiscal year include:

- The Minister of Justice and Attorney General of Manitoba attended the annual federal, provincial, territorial (FPT) justice ministers' meeting to discuss many topics including: initiatives to counteract organized crime, public safety as paramount consideration in *Criminal Code* Review Board decisions, drug-treatment courts, the continuation and expansion of the First Nations Policing Program and legal aid funding.
- Victim Services provided support for the National Aboriginal Women's Summit III and for the development of a national action plan to address missing and murdered Aboriginal women through a grant that was provided by the Criminal Property Forfeiture Fund.
- The Minister of Justice and Attorney General of Manitoba spoke at the Standing committee on Justice and Human Rights in Ottawa to support a private member's bill to amend the *Criminal Code* and the *National Defence Act* (criminal organization recruitment). Bill-C-394 proposed to make it a criminal offence to recruit people into gangs of organized crime.

### Efficient Use of Resources

Efficient use of resources is a sustainable guideline that involves the application and use of proper resource pricing, demand management and resource allocation together with incentives to encourage the efficient use of resources; and employs full cost accounting to provide better information for decision makers. Some of the department's achievements include:

- To improve the coordination of the availability of judges, courtrooms and clerks, and to standardize the trial assignment process; the Justice Innovation branch assisted the department with centralizing the assignment court process of three separate assignment courts into one. Having the knowledge about the availability of judges and use of court rooms in one place created an efficient assignment of resources and the ability to hold 2 additional afternoon disposition courts each week.
- Installing video interview capabilities in The Pas Correctional Centre and Agassiz Youth Centre allowed lawyers the ability to videoconference with their clients from the convenience of their own office and has



allowed accused persons to appear in Court by video. This project is expected to reduce the amount of time and resources required to have inmates meet with their lawyers to prepare for court, and the travel expenses related with transporting accused persons from The Pas and Agassiz to court.

### **Access to Information**

Manitoba Justice provides information to the general public in a variety of ways including but not limited to news releases, the Courts, publications, processing requests under *The Freedom of Information and Protection of Privacy Act* (FIPPA), *The Personal Health Information Act* (PHIA), and its website at [www.gov.mb.ca/justice](http://www.gov.mb.ca/justice). This year:

- Information about the Criminal Property Forfeiture Unit was added to the department's website site at <http://www.gov.mb.ca/justice/safe/cpf/index.html>.
- The Victim Services branch revised protection order fact sheets to incorporate changes that were made to *The Domestic Violence and Stalking Act* in 2010. Fact sheets were made available in ten languages: English, French, German, Spanish, Cree, Ojibway, Tagalog, Mandarin, Arabic and Punjabi at <http://www.gov.mb.ca/justice/victims/index.html>.
- A Domestic Abuse Community Resource Map was created to show the various community agencies and resources in Winnipeg that provide programs and support related to domestic abuse at [http://www.gov.mb.ca/justice/victims/pdf/resource\\_map.pdf](http://www.gov.mb.ca/justice/victims/pdf/resource_map.pdf).

### **Integrated Decision Making and Planning**

This guideline is defined as actions taken to encourage and facilitate decision making and planning processes to make them more efficient, timely, accountable and cross-sectoral, and address and account for intergenerational effects.

Ongoing Justice programs such as Legislative Counsel, Civil Legal Services and Constitutional Law exemplify the department's commitment to this principle by having an integral role creating acts of legislation and related policies initiated by the Government of Manitoba.

The following are some highlights of the department's cross-sectoral work during the year:

- *The Missing Persons Act* was introduced to assist the police with being timelier in their searches for missing people who are not suspected of a crime. The Act allows the police to apply for a court order to access personal information that could be critical in the safe return of a loved family member.
- The provincial government accepted recommendations made by the Manitoba Domestic Violence Death Review Committee on ways to prevent domestic violence from occurring. The committee included representatives from Manitoba Justice Victim Services, Prosecutions and Office of the Chief Medical Examiner, the Manitoba Women's Advisory Council, Winnipeg Police Service, RCMP and RESOLVE, a regional family violence research network.

Sustainable principles and guidelines, including but not limited to integrated decision making and planning, and efficient use of resources are further demonstrated in the department's procurement practices.



## **Sustainable Development Procurement**

Manitoba Justice's sustainable procurement practices are based on the provincial government's sustainable development procurement goals that were established in 2002. The following occurred in the 2012/2013 fiscal year:

### **1. Education, Training and Awareness**

To increase awareness of the benefits of sustainable development procurement practices, Manitoba Justice continued with the provision of an online sustainable development intranet site that is used as a reference guide for department staff. The website covers a variety of sustainable development topics including legislative requirements, sustainable business practices that relate to the department's action plan, reports, green choice products and resources. The department also encouraged staff to use sustainable methods of transportation.

### **2. Pollution Prevention and Human Health Protection**

To protect the health and environment of Manitobans from possible adverse effects of provincial government operations and activities, and provide a safe and healthy working environment; the department continued recycling waste paper, beverage cans, plastic, books, cardboard, furniture and equipment to reduce solid waste sent to landfills. In addition, the number of annual phone books distributed to staff were dramatically reduced which resulted from a change in operations by MTS Inc.

To further minimize the waste of paper, the department continued best practices of scanning, storing and sending documents in electronic form; replacing paper based business magazines and news papers with online subscriptions, printing and copying double-sided when possible, and scheduling, corresponding and reporting by email. To minimize paper-based mailings, Manitoba Justice continued the practice of referring the general public to its internet site to obtain more information about the department's programs, initiatives and reports, and its intranet site to provide important departmental information online for staff reference.

### **3. Reduction of Fossil Fuel Emissions**

Manitoba Justice uses a variety of vehicles for circuit court, the transport of offenders in custody or property in trust, and business in general. To contribute to the provincial government's overall goal to reduce the consumption of fossil fuels, the department annually reviews its fleet for efficiency and sustainability. In 2012/2013, the department increased its number of environmentally friendly vehicles by 5 for a total of 79, representing 54 per cent of its owned and leased fleets. Five environmentally friendly vehicles were electric hybrids that run on a combination of electricity and gas, 14 were diesel models that can run on biodiesel fuel and the remaining 60 were equipped to use E85 ethanol fuel.

In efforts to substitute regular fossil fuels with ethanol-blended fuel and alternate energy sources, the department continued the practice of using various types of fuels and electricity as an alternate energy source for the department's owned and leased vehicles and equipment. Of the grand total 578,867 litres of fuel purchased in the 2012/2013 fiscal year, the department consumed 25 per cent E10 ethanol fuel, 16 per cent diesel and 59 per cent regular unleaded gas. Overall, the department increased its fuel consumption by 2 percent.

It should be noted that the department has grown by 29 per cent since we started monitoring and reporting on our fuel consumption in the 2002/03 fiscal year. By comparison, overall fuel consumption has increased by 12 per cent which is less than half of our growth rate during that time. We anticipate further efficiencies in fuel consumption next year due to increasing the use of video court and lawyer video interviews in our northern court offices and correctional centres.

Further contributions are made by the department to reduce fossil fuel consumption by encouraging staff to annually participate in the National Commuter Challenge and by continuing the use of walker and cyclist couriers for deliveries within downtown Winnipeg.

#### **4. Resource Conservation**

To assist the provincial government with its commitment to reducing the total consumption of utilities in provincial government premises, the department continued working with Manitoba Infrastructure and Transportation to ensure Leadership in Energy and Environmental Design (LEED) Green Building Rating System™ standards were used where feasible in construction projects for Justice facilities. This year, a commitment was made to replace the Dauphin Correctional Centre with a facility that enhances safety for staff and rehabilitative services for inmates. Some completed projects include the completion of a 160 bed medium security unit at Milner Ridge Correctional Centre and the conversion of a trades building into a 64 bed living unit at Headingley Correctional Centre.

To increase the proportion of environmentally preferable products and services within the context of reduced resource use, the department purchased products that minimize waste by replacing virgin consumable products with sustainable (green) choices that contain post-consumer waste, are remanufactured, reusable or recyclable. Where possible, the department also purchased products that are non-toxic, biodegradable, energy efficient and use minimal packaging.

This year, the department maintained its high averages of green purchases for office paper (97 per cent green), hygiene tissue paper (100 per cent), caulk, glue and tape (100 per cent), computer furniture (98 per cent), garbage bags (89 per cent), rags and wipes (97 per cent), and 73 per cent of institutional chairs that further represent 27 percent of all chairs purchased by the department. Forty-seven percent of green filing supply purchases represent an increase of 13 per cent for this commodity in the 2012/13 fiscal year.

## Appendix I

In accordance with Schedule R of Order-In-Council 19/2012 dated January 13, 2012, as amended by OIC 43/2012, OIC 69/2012 and OIC 81/2012, OIC 382/2012 and OIC 1/2013, the Minister of Justice is responsible for administering:

*The Body Armour and Fortified Vehicle Control Act*  
*The Child Sexual Exploitation and Human Trafficking Act*  
*The International Commercial Arbitration Act*  
*The Constitutional Questions Act*  
*The Correctional Services Act*  
*The Court of Appeal Act*  
*The Provincial Court Act*  
*The Court of Queen's Bench Act*  
*The Court Security Act*  
*The Crime Prevention Foundation Act*  
*The Criminal Property Forfeiture Act*  
*The Cross-Border Policing Act*  
*The Crown Attorneys Act*  
*The Child Custody Enforcement Act*  
*The Discriminatory Business Practices Act*  
*The Domestic Violence and Stalking Act*  
*The Enforcement of Canadian Judgments Act*  
*The Enforcement of Judgments Conventions Act*  
*The Escheats Act*  
*The Manitoba Evidence Act [Division VI of Part 1]*  
*The Executive Government Organization Act [Subsection 12(2), only, as Keeper of the Great Seal]*  
*The Expropriation Act*  
*The Family Property Act*  
*The Fatality Inquiries Act*  
*The Fortified Buildings Act*  
*The Gunshot and Stab Wounds Mandatory Reporting Act*  
*The Helen Betty Osborne Memorial Foundation Act*  
*The Human Rights Code*  
*The Inter-jurisdictional Support Orders Act*  
*The Intoxicated Persons Detention Act*  
*The Reciprocal Enforcement of Judgments Act*  
*The Canada - United Kingdom Judgments Enforcement Act*  
*The Jury Act*  
*The Department of Justice Act*  
*The Justice for Victims of Child Pornography Act*  
*The Law Enforcement Review Act*  
*The Law Fees and Probate Charge Act*  
*The Law Reform Commission Act*  
*The Legal Aid Manitoba Act*  
*The Lobbyists Registration Act*  
*The Mental Health Act [Part 10 and clauses 125(1)(i) and (j)]*  
*The Minors Intoxicating Substances Control Act*  
*The Missing Persons Act*  
*The Police Services Act*

*The Privacy Act*  
*The Private Investigators and Security Guards Act*  
*The Proceedings Against the Crown Act*  
*The Profits of Criminal Notoriety Act*  
*The Public Trustee Act*  
*The Regulations Act*  
*The Safer Communities and Neighbourhoods Act*  
*The International Sale of Goods Act*  
*The Sheriffs Act*  
*The Interprovincial Subpoena Act*  
*The Summary Convictions Act*  
*The Transboundary Pollution Reciprocal Access Act*  
*The Uniform Law Conference Commissioners Act*  
*The Vacant Property Act*  
*The Victims' Bill of Rights*  
*The Witness Security Act*

**Other statutes related to areas for which the Minister of Justice is responsible:**

*The Age of Majority Act*  
*An Act to Repeal the Statute of Frauds*  
*The Apportionment Act*  
*The Arbitration Act*  
*The Blood Test Act*  
*The Boundary Lines and Line Fences Act*  
*The Builders' Liens Act*  
*The Civil Remedies against Organized Crime Act*  
*The Class Proceedings Act*  
*The Controverted Elections Act*  
*The Court of Queen's Bench Small Claims Practices Act*  
*The Court of Queen's Bench Surrogate Practice Act*  
*The Debtors' Arrest Act (Public Unconsolidated)*  
*The Defamation Act*  
*The Dependants Relief Act*  
*The Distress Act*  
*The Domicile and Habitual Residence Act*  
*The Equality of Status Act*  
*The Executions Act*  
*The Factors Act*  
*The Family Maintenance Act*  
*The Fatal Accidents Act*  
*The Federal Courts Jurisdiction Act*  
*The Fraudulent Conveyances Act*  
*The Frustrated Contracts Act*  
*The Garage Keepers Act*  
*The Garnishment Act*  
*The Gold Clauses Act*  
*The Guarantors' Liability Act*  
*The Health Care Directives Act*

*The Homesteads Act*  
*The Hotel Keepers Act*  
*The Infants' Estates Act*  
*The Interpretation Act*  
*The International Trusts Act*  
*The Intestate Succession Act*  
*The Judgments Act*  
*The Law of Property Act*  
*The Limitation of Actions Act*  
*The Manitoba Evidence Act (Parts I and IV)*  
*The Marine Insurance Act*  
*The Married Women's Property Act*  
*The Mental Health Act (Part 9)*  
*The Mercantile Law Amendment Act*  
*The Mortgage Act*  
*The Newspapers Act*  
*The Nuisance Act*  
*The Occupiers' Liability Act*  
*The Official Securities Act*  
*The Parental Responsibility Act*  
*The Parents' Maintenance Act*  
*The Perpetuities and Accumulations Act*  
*The Petty Trespasses Act*  
*The Powers of Attorney Act*  
*The Presumption of Death Act*  
*The Registration of Property Restraint Orders Act*  
*The Repair Shops Act*  
*The Retirement Plan Beneficiaries Act*  
*The Sale of Good Act*  
*The Sand and Gravel Act*  
*The Short Forms Act*  
*The Soldiers' Estates Act*  
*The Stable Keepers Act*  
*The Survivorship Act*  
*The Threshers' Liens Act*  
*The Tortfeasors and Contributory Negligence Act*  
*The Trustee Act*  
*The Unconscionable Transactions Relief Act*  
*The Use of Animals to Shield Unlawful Activities Act*  
*The Warehousemen's Liens Act*  
*The Wills Act*



## **Appendix II**

### **Court of Appeal Office in Manitoba**

Winnipeg

## **Appendix III**

### **Court of Queen's Bench Offices in Manitoba**

Winnipeg

Brandon

Dauphin

Flin Flon

Minnedosa

Morden

Portage la Prairie

St. Boniface

Selkirk

Swan River

The Pas

Thompson

Virden

## Appendix IV

### Court Centres and Circuit Court locations within Manitoba – Winnipeg and Regional

The following is a list of court centres and circuit court locations within Manitoba:

#### Brandon

- Boissevain
- Killarney
- Sioux Valley

#### Dauphin

- Camperville
- Roblin

#### Flin Flon

- Cranberry Portage
- Snow Lake

#### Minnedosa

- Neepawa
- Rosburn
- Russell
- Waywayseecappo

#### Morden

- Carman

#### Portage la Prairie

- Amaranth
- Sandy Bay

#### Selkirk

- Beausejour
- Berens River
- Bloodvein
- Emerson
- Garden Hill
- Gimli
- Lac du Bonnet
- Little Grand Rapids
- Pauingassi
- Poplar River
- Powerview (formerly Pine Falls)
- St. Martin
- St. Theresa Point
- Teulon

#### Steinbach

- St. Pierre-Jolys

#### Swan River

#### The Pas

- Easterville
- Grand Rapids
- Moose Lake
- Pukatawagan

#### Thompson

- Brochet
- Churchill
- Cross Lake
- Gillam
- God's Lake Narrows
- God's River
- Lac Brochet
- Leaf Rapids
- Lynn Lake
- Nelson House
- Norway House
- Oxford House
- Shamattawa
- South Indian Lake
- Split Lake

#### Virden

#### Winnipeg – 408 York Avenue

- Altona
- Arborg
- Ashern
- Fisher Branch
- Lundar
- Manitoba Youth Centre
- Morris
- Peguis
- Stonewall

#### Winnipeg – St. Boniface

#### Winnipeg – Summary Convictions Court

## Appendix V

The following is a list of some of the most commonly contacted branches, boards, agencies and programs reporting to the Minister of Justice. To contact offices not listed here, please call:

**Manitoba Government Inquiry**  
**1-866-626-4862, toll free outside Winnipeg**

Aboriginal and Community Law Enforcement  
648 - 155 Carlton Street  
Winnipeg MB R3C 3H8  
204-945-2408

Aboriginal Courtwork Program  
2<sup>nd</sup> Floor - 408 York Ave.  
Winnipeg MB R3C 0P9  
204-945-3909

Administration, Finance & Justice Innovation  
1110 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-2878

Civil Legal Services  
730 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-2832

Compensation for Victims of Crime  
1410 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-0899

Constitutional Law  
1205 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-0679

Corrections Division  
810 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-7804

Court of Queen's Bench  
Main Floor - 408 York Avenue  
Winnipeg MB R3C 0P9  
Civil: 204-945-0344  
Criminal: 204-945-3040  
Family Division (Divorce): 204-945-2920  
Administration: 204-945-0091

Courts Division  
235 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-0504

Criminal Justice Division  
648 - 155 Carlton Street  
Winnipeg MB R3C 3H8  
204-945-8042

Deputy Minister's Office  
110 Legislative Building - 450 Broadway  
Winnipeg MB R3C 0V8  
204-945-3739

Family Law  
1230 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-0268

Human Rights Commission  
7<sup>th</sup> Floor - 175 Hargrave Street  
Winnipeg MB R3C 3R8  
204-945-3007

Independent Investigation Unit  
P.O. Box 2117  
Station Main  
Winnipeg MB R3C 3R5  
204-948-1398

Law Enforcement Review Agency  
420 - 155 Carlton Street  
Winnipeg MB R3C 3H8  
204-945-8667

Law Reform Commission  
432 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-2896

Legal Aid Manitoba  
4<sup>th</sup> Floor - 287 Broadway  
Winnipeg MB R3C 0R9  
204-985-8500

Legislative Counsel  
410 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-5758

Maintenance Enforcement  
Building #80 – 352 Donald St.  
Winnipeg MB R3B 2H8  
204-945-7133

Manitoba Police Commission  
1802 – 155 Carlton St.  
Winnipeg MB R3C 3H8  
204-948-1400

Manitoba Prosecutions Service  
510 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-2852

Minister's Office  
104 Legislative Building – 450 Broadway  
Winnipeg MB R3C 0V8  
204-945-3728

Office of the Chief Medical Examiner  
210 - 1 Wesley Avenue  
Winnipeg MB R3C 4C6  
204-945-2088

Policy Development and Analysis  
1210 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-6726

Provincial Court  
Main Floor, 408 York Avenue  
Winnipeg MB R3C 0P9  
204-945-3454

The Public Trustee  
500 - 155 Carlton Street  
Winnipeg MB R3C 5R9  
204-945-2700

Review Board  
2<sup>nd</sup> Floor - 408 York Avenue  
Winnipeg MB R3C 0P9  
204-945-4438

Sheriff Services, Civil Enforcement Section  
2<sup>nd</sup> Floor - 373 Broadway  
Winnipeg MB R3C 4S4  
204-945-2107

Summary Convictions Court  
100 – 373 Broadway  
Winnipeg MB R3C 4S4  
204-945-3156

Vehicle Impoundment Registry  
2<sup>nd</sup> Floor - 408 York Avenue  
Winnipeg MB R3C 0P9  
204-945-4454

Victim/Witness Assistance  
400 - 408 York Avenue  
Winnipeg MB R3C 0P9  
204-945-3594

Victim Services  
1410 - 405 Broadway  
Winnipeg MB R3C 3L6  
204-945-6851  
1-866-484-2846

La version intégrale du rapport annuel de Justice Manitoba n'existe qu'en anglais. Toutefois, un résumé en français du rapport figure dans la section d'introduction du présent imprimé et également sur le site Web du ministère à l'adresse suivante: [www.gov.mb.ca/justice/index.fr.html](http://www.gov.mb.ca/justice/index.fr.html).

An English version of this *Annual Report* can be found on the Internet at [www.gov.mb.ca/justice](http://www.gov.mb.ca/justice).